from Esqr Bowditch

REPORT

OF THE

COMMITTEE

OF THE

HOUSE OF REPRESENTATIVES

OF

MASSACHUSETTS,

ON THE SUBJECT OF

IMPRESSED SEAMEN:

WITH THE

EVIDENCE AND DOCUMENTS

ACCOMPANYING IT.

PUBLISHED BY ORDER OF THE

HOUSE OF REPRESENTATIVES.

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1813.

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Commonwealth of Massachusetts.

In the House of Representatives, Feb. 6, 1813.

WHEREAS the President in his Message to Congress, has made known to the people of the United States, that the British Orders in Council have been repealed "in such a manner as to be capable of explanations meeting the views of the government" of the United States, and therefore none of the alleged causes of war with Great Britain now remain, except the claim of the right to take British subjects from the merchant ships of the United States:

And whereas, during the administrations of President Washington and President Adams, this claim of Great Britain was not considered as a reasonable cause of war; and under the administration of President Jefferson, the government of Great Britain did offer to make an arrangement with the United States which in the opinion of Messrs. Monroe and Pinkney, their Ministers, placed this subject on a ground that was "both honorable and advantageous to the United States, and highly favorable to their interests," and was at the same time "a concession which had never been before made;" and it is highly probable that the government of Great Britain would still be willing to make an arrangement on this subject which should be alike honorable and advantageous to the U. States:

And whereas, under the administration of President MADISON, when the arrangement of the matters in controversy between the United States and Great Britain was made with His Britannic Majesty's Minister, David Montague Erskine, Esq. the impressment of seamen was not considered of sufficient importance to be made a condition of that arrangement:

And whereas, all the European Powers as well as the U. States, recognize the principle that their subjects and citizens have no right to expatriate themselves, and that the nation has a right to the services of all its citizens, especially in time of *war*, and none of those Powers respect the Naturalization Laws of the others so far as to admit their operation in contravention of that principle; and it is manifestly unjust for a neutral power to make war upon one nation in order to compel it to relinquish a principle which is maintained by the others:

And whereas, it is the duty of the government of the United States to protect and encourage *American* Seamen, and to exclude from our ships the numerous foreign seamen who are depriving our own citizens of their natural means of subsistence:

And whereas, a great proportion of the seamen of the U. States belong to this Commonwealth, and this Legislature is desirous to ascertain how many of them have been impressed or taken by Great Britain, France or any other power, in order that satisfactory information may be had and communicated to the government of the United States.

Ordered, that Mr. Pickering of Salem, Mr. Tillinghast, of Taunton, Mr. Watson, of Belfast, be a Committee to consider and report, what measures are proper to be taken in order to ascertain the number of the SEAMEN of this Commonwealth impressed or taken by any foreign nation.

☞ Mr. Dean, of Dedham, and Mr. Breed, of Lynn, were afterwards added to this Committee, before they entered upon the duties of their commission; and at a subsequent day of the session, a part of His Excellency's message was also referred to the Committee, who on the 26th February, made the following Report:—

THE Committee to whom was referred so much of his Excellency's Message as relates to the subject of protecting in the merchant ships of the United States the Seamen of Great Britain, against the claims of that government, and who were also directed to report what measures are proper to be taken in order to ascertain the number of Seamen of this Commonwealth impressed or detained by any foreign nation, beg leave to submit the following

REPORT:

Your Committee find, from the Message of the President of the United States to Congress, that the principal alleged causes of hostility against Great Britain have been removed by the repeal of the British Orders in Council, and that the remaining cause of war against that nation, is her claim of the right to impress her own subjects from merchant ships.

Your Committee, while they have seen with the highest satisfaction that every other cause of hostilities is thus removed, have perceived with the deepest concern, that the blood and treasure of the country are still to be expended in the prosecution of a war, the object of which is to compel Great Britain to relinquish a principle which never till the present time, seems to have been considered by the government of the United States as a necessary cause of war.

The United States, it is said, "engaged in the war for the sole purpose of vindicating their rights and honor." It therefore becomes a deeply interesting enquiry for the people of the United States to make, whether their rights have been invaded, and their honor insulted, in such a manner as to demand a vindication by this last resort of a sovereign state. If it should be found that this is not the case, but that the principle which is now made the cause of the war against Great Britain, has been recognized and practised upon by France and other powers, without being considered on our part as a cause of war, the just and enlightened people of Massachusetts, as well as of the other

parts of the Union, will not, it is believed, think it necessary that the war should be continued for that object; they will not think it just for a neutral power to make war for the sake of requiring of one nation, what they have not exacted of others, and what others have never exacted of them.

The government of the United States, however, to whose reasonable discretion is committed the power of declaring war, has thought it proper to announce, that the present war is still to be prosecuted for the purpose of compelling the relinquishment of this claim of Great Britain. It is then more than ever necessary that the people of this Commonwealth, a portion of the Union destined to bear a large share of the burthens and calamities of the war, should carefully enquire into, and correctly understand the nature of this claim, and the real magnitude of the injury for which hostilities are to be continued, in order that they may be enabled to devise the best means which may be in their power, as a member of the Union, of contributing to effect the restoration of peace. Your Committee, therefore, have thought it to be their duty, deliberately and dispassionately to make this enquiry; and in doing it, they have felt all that responsibility which must result from a just regard to the welfare of our common country, and the essential interests of the citizens of this Commonwealth. With this view they have found it necessary to present a detailed statement on the subjects committed to them; a statement which in their opinion will satisfy this House of the necessity of a further and more minute enquiry, than it has been possible to make during the present session of the Legislature.

In prosecuting this enquiry, your Committee in the first place thought it proper to obtain facts sufficient to enable them to form some estimate of the *number of impressed seamen* of this Commonwealth. For this purpose they had recourse to various official reports made to Congress by Mr. Madison, while Secretary of State, and by his successor, Mr. Munroe; and they hoped to have found in those Documents, published

under the authority of the government, satisfactory information on this point. But in this expectation they have been entirely disappointed; they have found those reports so uncertain and erroneous, that they could place little reliance upon them. In proof of this, your Committee beg leave to offer a few remarks; and such as they shall make will chiefly arise from their examination of the last of those reports, dated Jan. 15, 1812.

This Report contains a list of 1557 applications of men represented as *impressed*; which, with the applications before communicated to Congress, amount to the now well-known number of 6057 (or, as it is sometimes called, 6257) cases of British impressments.

The first general remark your committee have to make on these extraordinary documents, is this, that of the 6057 cases, many hundreds appear to be *duplicate* applications; and in many instances the same [illegible] is reckoned three and four times, and in some, [illegible]nes. And these repetitions occur not only in [illegible]mes of real persons, but also in the names of [illegible]s, who, by the evidence of native inhabitants of the towns to which they are alleged to belong, were never known or heard of.

Of the remaining cases, vast numbers are altogether destitute of the particulars of the places of birth or residence, &c. of the seamen, which are so essential to determine the fact whether the applicants were *Americans*, or not. Of the 1557 cases contained in the Report last mentioned, about 1216 have no designation of the towns and states to which the seamen belonged, the time and place of impressment &c. and only the 341 remaining cases are accompanied with these particulars. It should be observed, further, that this List is entitled by the Secretary of State "a List of AMERICAN Seamen and Citizens who have been *impressed* and *held in bondage* in his Britannic Majesty's ships of war." &c. This very title is calculated to mislead; it purports to be a list of persons *impressed* and *held on board* British ships; yet in many of the cases it appears that the men *voluntarily entered* into the British service and received bounty and pay. The [illegible] is also given as a list of *Americans*; yet in a vast

number of cases the men acknowledged themselves to be *Englishmen, Irishmen,* or other subjects of Great Britain. Further; many of the men, it appears, had entered into *French* privateers, and were taken in the service of the enemies of Great Britain. Some, though taken from *American* merchant ships, were the subjects of Denmark or other nations at war with Great Britain. Some acknowledged the names in their protections were not their true names; others had protections that did not correspond with their persons. Some had protections that were forged or altered. Many of the seamen were taken from *English merchant* ships, and no suggestion is made that they had not entered voluntarily.

Your committee will make but one other remark on these Documents—The Secretary of State, in his report last mentioned, observes, that "there is reason to believe that no precise or accurate view is now or ever can be exhibited of the names, or the number of our seamen, who are impressed into, and detained in the BRITISH service," and that "it is equally impossible from the want of precise returns to make an accurate report of the names or number of citizens of the United States, who have been compelled to enter into the FRENCH service, or are held in captivity under the authority of that government, whether taken from vessels captured on the high seas, or seized in rivers, ports or harbors; the names of a few only, greatly below the number believed to be so detained, being within the knowledge of this department. A detail is therefore not attempted with respect to this part of the call of the House of Representatives."

Why the Secretary of State thought it proper to give a "detail" of *British* impressments, and to withhold a "detail" of *French* impressments or detentions, under such circumstances, it is not the part of your Committee to determine.

From this examination it was apparent, that these official documents were so uncertain and unsatisfactory, that little reliance could be placed on them. It became necessary, therefore, to resort to other evidence;

and none appeared to your Committee, to promise so satisfactory a result as the testimony of eminent merchants and experienced ship-masters of some of the principal sea-ports of this State; men, who from their professional, as well as local knowledge, must be acquainted with the cases of impressments from their own vessels, and their own towns. Your Committee accordingly, under the order of the House, authorising them to send for persons and papers, summoned a great number of merchants and ship-masters, without distinction of party, from Boston, Salem, Marblehead Portland and other seaports, which, all together owned a vast proportion of the whole shipping of this Commonwealth. They also examined some of the Custom House officers; and also made enquiries of experienced officers of the Navy. The united testimony of these witnesses, (which will be formed in the depositions hereto annexed, numbered from 1 to 51, and which your Committee request, may be considered as a part of their report) forms a body of evidence, from which highly important, and interesting results have been obtained, some of which your Committee beg leave here to offer to the consideration of this House.

It appears from the depositions of the merchants who were examined, and who have been engaged in commerce and navigation for ten, fifteen, and twenty years past, that the whole number of seamen they have together employed upon an average for the last twelve or fifteen years (deducting the period of the embargo) amounts to about 1560, annually—which for fifteen years would make an aggregate of 23,400, and for twelve years would make an aggregate of 18,720, seamen, constantly employed during those periods respectively; the average of these two aggregates will be 21,060. In this vast number of seamen thus constantly employed by these witnesses, your Committee have found the following cases of impressments by the British, viz.—

American seamen - - -	12
Foreign seamen - - -	23
Total	35

of which there have been discharged, as follows, viz.

Foreigners discharged - -		6
Americans discharged - -	9	
do. escaped - -	1	10

leaving, of the 12 *Americans* impressed as above, but *one* who has not returned.* Such was the result of the evidence of the witnesses in respect to impressments from among the seamen in their employment.

The whole number of impressments, (excepting the men hereafter mentioned taken in British ships of war,) that were testified to before your committee, including not only cases within the personal knowledge of the witnesses; but also cases that they had heard of from the friends of the impressed seamen, in such a manner as entitled them to credit, amounted, with the foregoing, to *one hundred and forty sev n.* 147

Add cases of supposed impressments, 10

Total 157

By the British,	145	
By the French, -	11	
By the Portuguese -	1 - -	157

Of the whole number, there were Americans 107

Louisianian	1	
Foreigners	47	
Unknown	2	157

Of the Americans there were

Discharged on application,	51
Escaped, - -	9
Entered, - - -	4
Died, - - -	3
Detained, - -	8
Supposed to be detained,	20
No account given, -	12
	107

To the above add the cases of the men who were taken in the British frigate *Guerriere*, (in all 18,) and who in-

* This is a seaman who was impressed from the ship Hugh Johnson, Capt. Eames, in 1809, at Palermo The owner (Mr. Caleb Loring, of Boston) could not recollect the man's name.

formed capt. Hull that they had been *impressed*, the sum total will then be 175.*

It appeared further in evidence that some of the masters of ships had been to sea for many years without having a single man impressed; and in general, the masters could recollect but two or three instances from their own vessels, in the course of their whole sea-faring life.

Your committee also found, that in the *practice* of impressments, in some cases, abuses had taken place, both with the British and French; instances of which appear by the documents annexed.—The instances of impressments by the French, however, appear to have been few in number, comparatively with those by the British.

It appeared also, that great frauds had been practised, with regard to Seamen's *Protections*, and which could not easily be guarded against by the officers of the government. Many of these Protections, it appears, have been *forged*, and hundreds of forged ones, it was testified, had been destroyed by the Custom House officers. Specimens of these forgeries were exhibited to your committee, and are herewith submitted. *(See Depositions, No. 13 and 31.)*

It appeared also, that *genuine* American Protections were bought and sold in many cases, for two dollars a piece; and that, by means of the keepers of boarding houses in the seaports, who were in the practice of collecting them, these genuine Protections were put into the hands of *foreigners*, whose persons agreed with the description in the protection, and the foreigner then assumed the name of the *American* who was named in the paper; and it sometimes happened, that illiterate foreigners, who had procured such protections, forgot the name they were to take.

Such are some of the facts which have appeared before your committee in respect to the *practice* of impressments.

Your Committee directed their attention, in the next place, to the *principle* on which Great Britain founds

* See Capt. Hull's deposition No. 42, and Judge Davis' letter to the committee, No. 43, respecting this class of cases.

her claim of impressing her seamen from merchant ships. This inquiry appeared to involve principally the following considerations :—Whether France, and other European nations recognize and practice upon the same principle ; and whether the government of the United States has ever made it a cause of war against France or any other nation ;—what measures have been adopted by the United States under the former and present administrations, in respect to impressments ;—what offers have been made on the part of Great Britain to secure to the United States the *practical advantages* which they have demanded, without a *formal* relinquishment of the principle contended for ;—and whether the magnitude of the injury had been constantly increasing until the time of the declaration of war, to such an alarming degree, that " forbearance could no longer be justified."

First, then, does France, as well as other nations, recognize the same principle which is contended for by Great Britain ?

It is a principle acknowledged in all governments that allegiance and protection are reciprocal ; and that every government has a right to the services of its citizens ; and especially that no citizen has a right to leave his country *in time of war*, without the consent of his own government. This principle has ever been recognized in the laws of this Commonwealth ; and during our revolutionary war (the only occasion till now, when the United States have been under the necessity of enforcing this rule) was rigourously adhered to in practice ; and your committee accordingly find, in the year 1779, a solemn legislative declaration of Massachusetts, that " every government has a right to command the personal services of all its members, whenever the exigences of the state shall require it, especially in times of an impending or actual invasion ; no member thereof can then withdraw himself from the jurisdiction of the government, and thereby deprive it of the benefit of his personal services, without incurring justly the forfeiture of all his property, rights and liberties, holden under and derived from that constitution of government to the support of which he hath refused to afford his aid and assistance."

Nor does this principle appear to be inconsistent with the practice of naturalizing foreigners, when the legal effects of naturalization are properly considered. When a state naturalizes a foreigner, it binds itself to protect him so long as he remains within its jurisdiction. If he does not choose to remain within the jurisdiction of his *adopted* country, but will place himself within the power of the government of his *native* country, by going within its exclusive jurisdiction, or within a jurisdiction which is common to his *native* and *adopted* country as in merchants ships on the ocean, the government of his *adopted* country will not consider itself bound to follow and protect him.

Your committee find, that France for a century and a half has maintained the right to seize her own seamen, in time of war, in her own ports, on board of neutral vessels, and at sea. In proof of this, your committee beg leave to refer to the French laws and ordinances on this subject, of which some extracts are subjoined. (*See Documents, No.* 52.)

Your committee will here ask the attention of this House to only one of these edicts; that of the 8th Ventose, 6th year of the French Republic (A. D. 1799.) This edict declares—"that all English Sailors *on board neutral flags* in the ports of France should be *arrested;* and every man *who spoke the English language*, should be considered *English*, unless he could prove by authentic evidence and documents that he was an *American.*"

The practice of France appears to have been conformable to the principle of these laws, as will be seen by a reference to the cases of impressments contained in the documents annexed. (*See depositions, Nos.* 1, 14, 15, *and* 18.)

It being undeniable then, that France has long maintained the principle in question, the next inquiry of your committee was, whether this claim of France had ever been considered by the government of the United States as a necessary cause of war. They do not find that it has been so considered. They find that in the year 1800, the United States concluded a treaty with France, on the various subjects in controversy, but they do not find

in that negociation, any demand that France should renounce the principle, nor does the treaty itself contain any such renunciation.

This being the case, then, it is for the wisdom of the people of the United States to judge, how far it is just or necessary, that a neutral power should prosecute a war against one of the belligerent nations, to compel the renunciation of a principle which it suffers the others to exercise.

The next inquiry of your committee was, what measures had been adopted by the governmet of the United States under the former and the present administrations, in respect to the impressment of Seamen, and what has been the result of those measures?

During the whole prosperous administration of that illustrious man, whose real patriotism justly entitled him to the appellation of the father of his country, the practice of impressments was exercised by Great Britain to a greater extent, and in a more vexatious manner, than it has been for years past; yet Washington, whose nice sense of national honor, has not been surpassed by that of any of his successors, and whose real regard for the rights of his countrymen was always evinced by his acts, never believed that the "rights and honors" of the United States, required to be vindicated by a war against either of the two nations, to compel a relinquishment of the claim in question. And never did his affectionate countrymen of the great commercial and navigating States charge him with an abandonment of their rights, because he did not resort to war, in order to compel the formal renunciation of a *principle*, while the country could enjoy the benefit of a *practical* regard to the true interests of the sea-faring citizens.

In the year 1794, under his administration the United States concluded a treaty with Great Britain; but so far were they from then demanding a relinquishment of the claim, that although the evils of impressments were sensibly felt by the United States, no provision was made in that treaty on the subject.

In the year 1796, the government of the United States thought it expedient to make the law under which protections, as they are usually called, were granted to

American seamen; but this, in the end afforded only a partial remedy for the mischief. The government of the United States, however, having a conviction of the intrinsic difficulties of the subject, and placing confidence in the assurances of Great Britain, in the like manner as they required her to place confidence in theirs of a sincere desire to remedy the evil, still avoided the alternative of war. With mutual explanations and mutual forbearance our country still advanced in its prosperous career.

The practice of impressments still continued to be a subject of complaint and negociation, and no arrangement was effected until the year 1806. This important measure demands a distinct consideration.

Your committee find, that in that year Messrs. Monroe and Pinkney, who had been appointed by President Jefferson, ministers to the court of Great Britain, commenced their negociation on the subject of impressments, as well as the other subjects in controversy between the two countries. It was proposed by the British commissioners, that the treaty of 1794, should be made the basis of the negociation; but this proposal was not acceded to by our ministers. *(See No. 53.)*

It appears that in the conferences, the British commissioners manifested the strongest repugnance to a *formal* renunciation of their claim; but proposed as a substitute, that our seamen should be furnished with documents, the nature and form of which should be settled by treaty, and that these documents should completely protect the seamen; but that subject to such protections, Great Britain should have the right to impress her own seamen. *(See No. 53.)*

It also appears by the correspondence of our ministers, that the "temper which the British commissioners brought into the negociation corresponding with that which had been manifested towards our ministers by all who were in official stations, as well as by the public in general, was as friendly and respectful to our government and country, as could be desired." *(See No. 54.)*

The result of this negociation was an adjustment of all the differences between the two countries. The important subject of impressments, in particular, was definitely arranged by a note signed by the British ministers, which

is subjoined to this report—*(See No. 55.)*

By this paper, as it was distinctly understood and explained by the parties, Messrs. Monroe and Pinkney express their conviction that the subject of impressments is placed almost, if not altogether, on as good a footing as they should have done, had the project which they themselves had offered to the British government, been adopted. *(See No. 56.)*

And they were further of opinion, that the ground on which the subject was thus placed, was both "honorable and advantageous to the United States," and that it contained a concession never before made by Great Britain, which was highly favorable to our interests. *(See No. 57.)*

Such appears to have been the disposition of Great Britain, and such was the arrangement made on this difficult and important subject. This adjustment, however advantageous as it seems to have been in the opinion of our ministers, your committee find, was rejected by our government. Why it was thus rejected, it is not the part of your committee to intimate; the enlightened people of this Commonwealth, happily, are able to judge, and will judge for themselves.

From this time, the practice of impressment was not wholly abandoned by Great Britain; but from the year 1807, it appears to have been gradually lessening. So inconsiderable a grievance, indeed, did it appear to be in the year 1809, that when a settlement of our differences with Great Britain was made with the British minister, Mr. Erskine, the impressment of our seamen was not made a condition of the arrangement; but (the affair of the Chesapeake frigate being adjusted) upon the repeal of the Orders in Council only, the intercourse between the two countries was renewed.

This arrangement, it is well known was not carried into effect, and the intercourse with Great Britain was again terminated. Still however, the Government of the United States did not appear to consider he subject of impressments as an obstacle to a renewal of the intercourse, much less as a necessary cause

of war. For in the month of July, 1811, (about eleven months before the war) the Secretary of State informed the British minister (Mr. Foster) that should the revocation of the blockade of May, 1806, be followed by a revocation of the Orders in Council, he was authorised to say that it would produce an immediate renewal of the intercourse between the two countries—and the subject of impressments is not brought into view as a condition of such renewal.—(See No. 58.)

From that period to the declaration of war, on the 17th June, 1812, your committee feel warranted in saying, that impressments had not frequently occurred—the British Government had continued to give the strictest orders to their commanders, not to molest American seamen; and the British minister, Mr. Foster, had requested our Government to furnish him with the names of the impressed Americans, that measures might be taken for their immediate discharge. And at the period of the declaration of war, so far was it from being the case, "that forbearance could no longer be justified," that only a fortnight before the war, the British minister had again informed the Secretary of State, that the government of Great Britain would continue to give the most positive orders against the detentions of *American* citizens.—(See Mr. Foster's letter of June 1, 1812, to Mr. Monroe—No. 59.)

Under such extraordinary circumstances has the present occasion been seized upon to involve the United States in war. But though our natural "resources are abundant, though our people are brave and virtuous, and their spirit unbroken," yet unless they know it to be a war in which they can confidently "rely upon the aid of Heaven" they will not think it necessary to embark their lives and fortunes in the prosecution of it.

Your committee, therefore, upon the whole view of the subject, in discharge of their commission beg leave to submit the following Resolve.

COMMONWEALTH OF MASSACHUSETTS.

In the House of Representatives, Feb. 24, 1812.

RESOLVED, that the Selectmen and Assessors of the several towns, districts and plantations in this Commonwealth be and they hereby are required, forthwith to ascertain the number of seamen of their respective towns, districts and plantations, who have been or are now impressed, or detained by Great Britain, France or any foreign power, and forthwith to make returns thereof to the Secretary of this Commonwealth in order that the same may be laid before the General Court at their next session to be holden on the last Wednesday of May next. And the said Returns shall contain the names of all such Seamen, and shall state whether they are native or naturalized citizens of the United States, or foreign subjects; and in the cases of native citizens shall designate the town, county and state in which they were born; and in the cases of naturalized citizens, shall designate the Court or County, in which, and the time when, they were naturalized, and of what foreign power they were then the subjects; and in the cases of foreign subjects shall designate the foreign power whose subjects they are. And in all the cases aforesaid, the said returns shall so far as the same may be ascertained, state the time when and the vessels and their masters, from which such seamen were impressed or taken, and the ports to which such vessels belonged; and also the vessels and their commanders, by which they were impressed or taken, and also the names of the foreign power to which such vessels belonged. And the said returns shall also state whether such seamen had protections with them, when impressed or taken, and whether any, and what application has been made for their discharge, and the result of such application, and also in case of the death of any seaman, shall state whether he died in the service of the nation that impressed or detained him. And in those towns, districts and plantations from which no seamen have been impressed or taken, the selectmen and assessors shall in like manner make return of that fact.

And the Secretary of the Commonwealth shall forthwith transmit copies of this Resolve, together with blank forms of Returns prepared in conformity thereto, to the selectmen and assessors aforesaid, who are hereby directed to publish this Resolve in the several newspapers printed in their respective towns districts and plantations.

EVIDENCE

Before the Committee on Impressments.

THE DEPOSITIONS OF

1 Capt. Isaac Clark, of Brewster,
2 Capt. John Eldridge, of Yarmouth,
3 Eben. Parsons, Esq. of Boston, Merchant,
4 Wm. Parsons, Esq. of Boston, do.
5 Caleb Loring, Esq. of do. do.
6 Capt. John Holland, of do. do.
7 Moses Townsend, Esq. of Salem, do.
8 Mr Wm. W. Oliver, Deputy Collector of Salem,
9 Joseph Peabody, Esq. of Salem, Merchant,
10 Nathan Felton, Esq. of Danvers,
11 Samuel Page, Esq. of Danvers,
12 Capt. Joseph Mudge, of Lynn,
13 Capt Zachariah Atwell, of Lynn,
14 Capt. Andrew Harraden, of Salem,
15 Capt. Josiah Orne, of do.
16 Mr. Nathaniel Hooper, of Marblehead, Merchant,
17 Mr. Benjamin T. Reed, of do. do.
18 Hon. William Gray, Esq. of Boston, do.
19 Capt. Ozias Goodwin, of do.
20 Theodore Lyman, Esq. do. do.
21 James Perkins, Esq. do. do.
22 Thomas H. Perkins, Esq. do. do.
23 Aaron Breed, Esq. of Lynn, [one of the Committee.]
24 Hon. Nahum Mitchell, Esq. Bridgewater,
25 Col. John Thomas, of Kingston,
26 Wm. Orne, Esq. Salem, Merchant,
27 Capt. John Tucker, of Gloucester,
28 Joseph Moody, Esq. Kennebunk, Merchant,
29 Hon. Wm. Davis, Esq. Plymouth,
30 Hon. Israel Thorndike, Boston, Merchant.

31 Josiah Waters, Esq. Boston,
32 Mr. Edward Lander, Salem, Merchant,
33 Capt. Wm. Story, Marblehead,
34 Capt. Wm. Crabtree, Portland,
35 Otis Little, Esq. Castine, Merchant,
36 Mr. Wm. Parker, Boston, Mariner,
37 Commodore Bainbridge,
38 Asa T. Newhall, Esq. Lynn,
39 Thomas H. Tobey, Esq. Sandwich,
40 Mr. Charles Durant, Roxbury,
41 Capt. Wm. Sturgis, Boston,
42 Isaac Hull, Esq. of the Navy,
43 Certificate from Hon. John Davis, Esq. District Judge,
44 Mr. Lawson Carrol, of Boston,
45 Mr. C. W. Williams, of Wells,
46 Capt. Lemuel Walker, Litchfield
47 Enoch Preble, Esq. Portland, Merchant,
48 Hon. Matthew Bridge, Esq. Charlestown, Merchant,
49 John Hewes, Mariner,
50 Letter from Commodore Bainbridge,
51 Barnabus Hedge, Jr. Esq. Plymouth, Merchant.

The following Witnesses were also summoned, but did not testify :—

William Raymond Lee, Esq. Collector of Salem, absent by indisposition.

Joseph Wilson, Esq. Collector of Marblehead, did not attend.

Henry A. S. Dearborn, Esq. Collector of Boston, absent at Albany.

Hon. Wm. Bartlett, Esq. Newburyport, did not attend.

Moses Brown, Esq. do. absent by indisposition.

Hon. Benjamin W. Crowninshield, Esq. Salem, appeared before the Committee, but declined testifying.

Commodore Rodgers appeared, and informed the Committee that he would make a communication to them in writing, which they have not yet received.

February 25, 1813.

Hon. Mr. LLOYD's Letter,

ON IMPRESSMENTS.

THE following letter from the Hon. Mr. LLOYD, our Senator in Congress, on the subject of the impressment of our seamen, is deserving of an attentive perusal by every man who values the opinions of intelligent and upright *practical* men, more than the idle babble of dishonest *theoretical* politicians. The testimony of Mr. Lloyd would have been an important addition to the body of evidence, on which the late Report of the Committee of the House of Representatives was founded. But though it does not form a part of that evidence, yet the publick now have the benefit of it, and in language more animated and interesting than would have been consistent with the legal formality of a deposition. Mr. Lloyd justly observes, that "Great Britain expressly disclaims the right to impress into her service bona fide AMERICANS." For what then are we involved in a war with her? For nothing more nor less than this—to protect *her* seamen in our ships, and thus encourage them to enter on board our ships, and take the bread out of the mouths of *our own* seamen!

When the people of the United States hear such men as Mr. Lloyd, a senator from one of the first of the commercial states, declare that he was "in active mercantile business from 1793 to 1807, and the proprietor of navigation for those fourteen years," and that, to his recollection, "there was not a single seaman or passenger taken from any vessel belonging to him, or in which he was interested"—when the people hear such declarations, from such authority, what will they say to the men who have so long been attempting to impose upon them with their pretended list of 6257 im-

pressments—what will they say to the men, who do not know the stem of a ship from her stern, and yet have the effrontery to declare in their publick speeches, that even that long list, swelled and stuffed as it is with the repetitions of the same names, and with the names of persons never known to exist, does not contain more than one third part of the whole number of impressments!

.....

WASHINGTON, FEB. 24, 1813.

DEAR SIR,

IN compliance with the request contained in your letter of the 18th inst. on the subject of the impressment of American seamen, I can only state my belief, that the number of cases which are alleged to have occurred, is both extremely erroneous and exaggerated.

This opinion is founded on the strongest convictions of my understanding, arising as well from observation and inquiry for some years past, as from the information you give me of the testimony which has already been taken by the Committee of the House of Representatives of Massachusetts, and the absence within the circle of my knowledge, of any evidence in an extended degree of a decisive nature, and of a different character.

I was in active mercantile business from 1793 to 1807, and the proprietor of navigation for those fourteen years, I believe without intermission; and to my recollection there was not a single seaman or passenger taken from any vessel belonging to me, or in which I was interested.

I have been in publick life in the National Government nearly five years; during this time, while at home, I have never received an application from a parent, brother, or relative of an impressed American seaman to engage my attention for his relief; nor have I, while at Washington, where the calls upon me from my commercial constituents have been both constant and numerous, been requested to attend to, or have had made known to me directly, the impressment of more than three American citizens.

These circumstances, connected with the knowledge that

Massachusetts furnishes one third part of the tonnage of the Union, and a proportionate number of its seamen, afford to my mind "confirmation strong, nearly as proof from holy writ," of the correctness of the opinion expressed at the beginning of this letter—that the number of impressed native American seamen in the British service has been both extremely misstated and exaggerated. It has been made a theme of party clamour, and party odium, and has been loudly urged by those who have the least knowledge and the smallest interest in the subject.

On this topic I know not that I can better convey to you my sentiments than by communicating some observations having a relation to it, and which are part of those I had made in a debate upon the bill to raise an additional military force of 25,000 men.—We have in the Senate, no Reporter or Stenographer, and they therefore, have probably never before escaped beyond the portal of the Senate Chamber.—On that occasion, I remarked, that

"For the impressment of seamen, about the established principle of which no difference exists between the two countries, for Great Britain expressly disclaims the right to impress into her service, bona fide American citizens, the people of the United States would not zealously support this war.

"If Great Britain did claim and exercise the right to impress into her service the real, bona fide native citizens of the United States, an interminable war with her, or with all the nations of the earth, if it could not be otherwise prevented, might be alike just, necessary and commendable. The ocean, for the use of the great family of mankind, should own no chartered privileges. In time of peace, or neutrality, while abstaining from injury to others, it should be free as air to all who navigate it, and the impressment of a native American citizen, innocent of crime, owing elsewhere no primary or paramount allegiance, and prosecuting a lawful commerce in a vessel of his own country, is, as it respects the individual, and as it regards an infringement of right, as gross a violation as if he were arrested, torn and transported into slavery from his paternal roof, or domestick altar."

"But this principle, I repeat, Great Britain does not contend for, and when a violation has been committed, she offers im-

mediately to restore the sufferer. In point of principle, therefore, there is nothing at issue between the two governments. It is the practice only that is complained of—a practice outrageous in its character; in some instances, and which ought to be arrested, and which, with fair and impartial views towards the two belligerents, and an honest disposition to give them a successful effect, can be speedily accomplished—and respecting which, the present Secretary of State has already declared he could have made an arrangement both "honourable and advantageous" to the United States; but until the effort to do this be made, fairly, honourably, and aboveboard, without petulance or irritation, the people of the United States will neither approve the war, or recruit the armies. They will not subject themselves to privations and poverty to shelter renegado deserters, nor to sanctify custom-house protections, frequently, the evidence of nothing but falsehoods gross and palpable as those issuing from the fathers of lies—which extend the mantle of Nationality with equal facility over the exported Patriots of other countries, as over the Native Citizens of our own—which have systematized nothing but the habit and price of perjury in the lowest walks of life, and exposed the real, indigenous seamen of the United States, by inviting wrongs upon them, from the openness of the frauds with which they have attempted to shield the worthless deserters from their own country in the hour of its greatest peril and distress.

"For men of this class, and for objects of this description, the people of the United States will not willingly support a war, at least not until they find their fair offers of peace are rejected, or spurned at, and that no alternative remains for them, but a tame submission to injury, or a vigorous prosecution of the war however rashly commenced, or impotently conducted."

This, my dear sir, is the information I possess, and such are the sentiments I have heretofore advanced, and still entertain, on the subject to which you have alluded.

I am always with sentiments of great regard and respect, your friend and obedient servant,

JAMES LLOYD.

Hon. T. H. Perkins, Boston.

DOCUMENTS
REFERRED TO IN THE FOREGOING REPORT.

[No. 1.]

The Deposition of ISAAC CLARKE.

I reside in the town of Brewster, in the County of Barnstable. I have been a master of a vessel about twelve years. I have employed on board the vessels under my command, from ten to twenty-eight men; upon an average, about ten to each vessel. During that time, viz. about the year 1795, I had one man impressed from the Byefield, of Boston, off the coast of Savanah in Georgia; his name was Owen Jones, a Welchman; he was however released, and returned about two or three months after his impressment. He had informed me that he was a Welchman; he had a protection as an American citizen. In the year 1798, or 1799, I had two men taken from the *Financier* of Boston; their names were Eben. Gorham and ——— Mansfield. They were Americans; Gorham was a native of Barnstable; I do not know the native place of Mansfield. They had no protections; they were impressed off the Naze of Norway. Gorham was released about three or four months afterwards; he returned to America soon after I did on that voyage. Mansfield entered on board the British ship, (this I had from the information of Gorham) and I have not heard of him since. They were impressed by a British frigate; I do not recollect her name or that of her commander; nor do I remember the name of the sloop of war that impressed the first man abovenamed, viz.—Owen Jones, nor the name of her commander; she was a sloop of w..., of twenty four guns. During the time I was master of a vessel, I made nine voyages to Russia, two to Spain, and one to Portugal, and one from Copenhagen to Dunkirk; and four or five to the West Indies. Almost every one of these voyages I was boarded by British cruizers, and sometimes by French cruizers. I never had any men taken from my vessels at any other time than abovementioned, except once while I was at Liverpool, in England, when two of my crew that were on shore, were taken up by the press-gang, they had left their protections on board; and upon application by myself to the Regulating Captain, they were returned to me the next day. The name of one was Theodore Berry, of Brewster, and the other was a man of colour, who called himself a Virginian.

I am one of the Selectmen of Brewster; I know of one person now under impressment by the British, belonging to that town, by the name of *Prince Freeman;* this is the only case in that town, he was impressed when on shore, in Ireland, and had no protection; last spring a protection was made out, and an application forwarded by his father, as I have understood, to our agent in London. I do not know whether he has been discharged or not.

Two men belonging to Brewster, have been taken by French vessels at sea, and detained in France. Their names are Rueben Harden and ——— Mayhew; Mayhew was taken about three years ago, and, as his father informs me, is detained in prison in the interior of France. We have never heard of Harden since he was taken, which is about two years ago. Harden and Mayhew are both natives of Brewster A protection for Mayhew was obtained, and forwarded about twelve months ago last September, to our agent in France. In the ship Financier abovementioned, I had seven or eight men, besides Gorham and Mansfield without any protections; they were all Americans, except one, who was a Dane, and further say not.

ISAAC CLARK.

SUFFOLK, ss. *Feb. 15th*, 1813.
Sworn to before
ALEX. TOWNSEND, *J. Peace.*

[No. 2.]

The Deposition of JOHN ELDRIDGE.

I reside in Yarmouth in the county of Barnstable. I have been master of a vessel about seventeen years, within the last twenty four years; and have had on board my vessels from seven to sixteen men; on an average about eight or nine. About the year 1803, while I was lying at Trinidad, in the sloop Stork, one of my men, while on shore, had quitted his boat and was taken up by the press-gang. His name was William Boynton, and he was, as he told me, an American. The next day I was informed by the officer of the press-gang, that the man was taken, and immediately upon my application on board the ship where he was placed, he was returned to me, with some money he had about him. He had left his protection on board the vessel at the time when he was taken.

In 1810, while I was at Martinique, a Portuguese boy named Joseph Friay, belonging to my vessel, was impressed from the vessel; he was detained two days, but upon my application he was discharged; he had no protection, nor any indenture of apprenticeship; he was a servant to my mate.

I do not know of any person belonging to Yarmouth now under

impressment, or other dentention by the British. One man belonging to the town, viz. Enoch Hallet jun. has been taken and carried into France, and is there detained. This information I have had from his father, who also says, that Hallet, together with the mate (who does not belong to Yarmouth) were detained as pledges for the performance of some agreement of the captain in regard to the ransom of the vessel; Hallet's father has since told me that the mate abovementioned has returned to America; his son remains in France. The mate I understood from Mr Hallet, had made his escape from the French prisons, where he and Hallet had been detained. I am one of the Selectmen of Yarmouth, and have been one for six years past.

JOHN ELDRIDGE.

Suffolk, ss. Feb. 15th, 1813.

Sworn to before

Alex. Townsend, *J. Peace.*

[No. 3.]

The Deposition of Eben. Parsons.

I reside in Boston, and have been engaged in commerce and navagation for about forty-five years. I have employed upon an average, annually, from the year 1793, about one hundred and fifty seamen in my vessels, engaged in foreign trade, up to the year 1803; and from the year 1803, to the time of the Embargo, I have employed about one hundred seamen, annually upon an average. No seamen have been impressed from any of my vessels, but the Byefield and Financier (which are related in the Deposition of Capt. Isaac Clark) except the following, viz —One of my vessels (the Financier abovementioned) commanded by Capt. Sargeant, about the year 1805 or 1806, being on her return from the East-Indies, put into St. Helena, and while there, two of the crew were impressed from the ship; they were foreigners and had no protections. On another voyage of the same ship, to the Baltic, a young man by the name of Thacher, of Yarmouth, was taken out by a British ship; the young man had taken out a protection when he was quite a boy, and had grown up at the time when he was taken, and the description in his protection did not agree with his person; this was the reason assigned at the time for taking him. On the return of the ship, I forwarded a protection to Mr. Williams, of London, and Thacher was immediately discharged. This protection was certified by the Selectmen, and Town Clerk of Yarmouth.

The number of men employed on an average, including large and small vessels, in foreign trade, is about six for every hundred tons of shipping.

I do not know of any Americans impressed, from any vessel

belonging to the town where I reside, other than those abovementioned and referred to.

I have not had any men taken from my vessels by the French, except when my vessels were taken by them.

EBEN. PARSONS.

Suffolk, ss. Feb. 15th, 1813.

Sworn to before

Alex. Townsend, *J. Peace.*

[No. 4.]

The Deposition of William Parsons.

I reside in Boston, and have been engaged in commerce and navigation about thirty years. I have employed in my vessels, annually, upon an average, about fifty seamen, until the time of the embargo. I have no recollection of any of my seamen being impressed for the last twenty years, except in one instance. In the year 1806, a seaman was taken from the ship Meridian, capt. Lord, in coming out of Rotterdam, by a British sloop of war; I do not recollect the man's name; he and all the rest of the crew were shipped at Norfolk, in Virginia, and there was only one American among them; the man taken, as above, was an Irishman. When I paid off the crew they informed me that they had bought their protections at Norfolk, for two dollars a piece. Capt. Lord applied to the commander of the sloop of war, who said he would deliver up the man, if the man himself would give his word that he was an American, which he would not do; but said he had a wife in America.

I do not know of any American seamen being impressed from any vessel belonging to the town where I reside, other than the vessels above mentioned belonging to me.

The number of men employed on an average, including large and small vessels, in foreign trade, is about six, for every hundred tons of shipping

Upon enquiring of all the crew of the Meridian that were paid off as abovementioned, I found that there was but one instance where the true names of the men agreed with the names mentioned in their protections; that was a Connecticut man. When I speak of their true names, I mean the names they gave me when I paid them off, and by which they receipted to me for their wages; many of them had forgotten the names they went by in their protections. When they were shipped at Norfolk, their protections were picked out, as capt. Lord informed me, from a large number of protections which were kept at the boarding-house; and such protections were chosen as agreed with the persons of the seamen.

Of all the crews of my vessels that have been shipped at Bos-

ton, I do not recollect any instance where a man has been impressed. The Norfolk crew abovementioned was the only instance where a crew of mine had been shipped in any other port than Boston.

WILLIAM PARSONS.

Suffolk, ss. Feb. 15th, 1813.

Sworn to before

Alex. Townsend, *J. P.*

[No. 5.]

The Deposition of Caleb Loring.

I reside in Boston. I have been engaged in commerce and navigation between eighteen and nineteen years. I have employed upon an average annually, about forty seamen in foreign trade.

I recollect, at present, but one instance of any of my seamen being inpressed by the British; in July 1809, two seamen, belonging to the ship Hugh Johnson, while she was lying at Palermo, were taken from her by a British brig of war; I do not know their names—one of these men was an Englishman, the other was an American. When the British officer boarded the ship, capt. Eames, who was the master of her, said to them, that if they were determined to take any, as he found they were, they must take that man, and pointed at the same time to the Englishman above-mentioned, and told the officer that the man was an Englishman. The officer, however, took the American. I do not know whether either of these two men had protections; but Capt. Eames, told the officer, that he had known the American from a boy. We have always been very careful to select American seamen for our vessels, and such as had protections. I cannot undertake to say, whether these two men were shipped in Boston; for the vessel went to City-point on James River, Virginia, and there had to make up her crew, on account of some having left the vessel, according to the best of my recollection. I do not know whether any application was ever made for the discharge of the man impressed as above, nor whether he has been discharged or not, I do not personally know of any American impressed from any other vessel belonging to the town where I reside, other than the case above mentioned.

The number of men employed on an average, including large and small vessels, in foreign trade, is about six for every hundred tons of shipping.

In saying as above, that we have always been very careful to employ *American* seamen, I mean to be understood that we have carefully avoided employing Englishmen; we have employed Danes and Swedes, and of other nations.

I have never had any men impressed or taken by any other na

tion, except when my vessels have been taken, which has been by the French as well as English.

CALEB LORING.

Suffolk, ss. *Feb. 15th*, 1813.
Sworn to before
Alex. Townsend, *J. Peace.*

[No. 6.]

The Deposition of John Holland.

I reside in Boston, and have been a ship owner and master for about twenty six years. I was a master of a ship for about fourteen years; and during that time usually had crews of about eight men upon an average? and while owner I have employed about thirty seamen annually on an average, for the last twelve years, except the year of the embargo.

In the year of 1800, while I was master of the brig Mary of Boston, when off the Orkney Islands, one of my men was taken by a British sloop of war; I do not recollect his name; he was an American, and shipped as a green hand, and took no protection with him. He had been serving at the hatter's trade in Roxbury. On my return to Boston I applied to the Collector of Boston, General Lincoln, and requested that documents might be forwarded to London, which I procured and which were forwarded by Gen. Lincoln, and the man was discharged and returned home in about a year. I understood from him, according to the best of my recollection that when he was discharged by the British his wages were paid him.

I have never had any other man than the above, impressed from any vessel in which I have been concerned, either as master or owner, to my recollection.

The voyages of my vessels have been to the West Indies and to different parts of Europe.

The number of men employed on an average, including large and small vessels, in foreign trade, is about six for every hundred tons of shipping.

I have no knowledge of any other case of impressment from the town of Boston.

JOHN HOLLAND.

Suffolk, ss. *Feb. 15th*, 1813.
Sworn to before
Alex. Townsend, *J. Peace.*

N. B. After this deposition was taken, the Committee received the following note from Mr. Holland.

Boston, Feb. 12th, 1813.

JOHN PICKERING, ESQ.

SIR,

The person impressed from the Brig Mary under my command, was named Oliver Blood. Permit me to correct an error, he was pressed in the year 1799 and not 1800 as stated, but returned in 1800 and received the balance of his wages on 27th June, 1800.

Yours, Respectfully,

JOHN HOLLAND.

[No. 7.]

The Deposition of MOSES TOWNSEND, ESQ.

I Moses Townsend of Salem, in the County of Essex, Esquire, do depose and say—That I have been engaged in commerce and navigation for about thirty years, and was master of a ship about twenty years. I have usually had crews of ten and twelve men, upon an average. I never had any men impressed from any of the vessels under my command, except once while I was at Bristol in England. On that occasion, I had three or four men impressed, belonging to the ship Light horse, under my command; they were taken in the evening, and upon my application through the American Consul, they were released the next day. The only one of them that I recollect now, was John Patterson of Salem; the others were all native Americans. I do not know whether they had their protections with them or not; I recollect that on producing their protections to the press-master, they were released the next day, this was I think, in the year 1796. No other cases are within my personal knowledge, except one, viz. John Fairfield of Salem, who was impressed and remained in the British service till his death; he was taken from the ship Ann, (which I think belonged to Boston,) and by the last accounts we had from him, he was on board a British frigate, which was afterwards lost, or a missing vessel. He was impressed in India about 1797. I recollect now the case of Edward Hulen of Salem, who has mentioned to me his being impressed by the British in Madras roads, from the ship Betsey, about 1797. I think he said he had been under impressment some years, but he was released, and afterwards got home. Daniel Mc Millan, Daniel Bacon, Samuel Larrabee, jun. Thomas Vincent, Samuel Shepard, and two others from the same vessel with Shepard, I have understond from common report in Salem, have also been impressed from Salem. The last of the above cases I should think was about 1807 or 1808, but of the time I am not certain, though I think it was before the embargo. All of these except Bacon, have as I believe been released, and returned home; I presume Bacon is still under impressment. James

and Joseph Symonds also have been impressed, and have since returned home; they were from Salem.

In addition to the above I should state the case of —— Clark, who gave his deposition before myself and another magistrate, respecting his impressment about a month since.

I do dot know whether any application was ever made for the discharge of Bacon or not.

I have been one of the Selectmen of Salem for six years, and President of an Insurance office in Salem, ever since the year 1804.

MOSES TOWNSEND.

N. B After this deposition was taken, the Committee received the following note from Mr. Townsend.

Salem February 13, 1813.

JOHN PICKERING, Esq.

DEAR SIR,

In my deposition, in case of the crew of the ship Lighthorse; Patterson, one of them, it is stated that on producing their Protections they were liberated; on reflection I am not certain they had Protections, will thank you to have the word "*Protections*" errased, and in lieu thereof insert *Ships Papers.* I also find I was mistaken in the year; it ought to be Sept. or Oct. 1795.

I am, Sir,

With esteem and respect,

Your obedient humble servant,

MOSES TOWNSEND.

SUFFOLK, ss. Boston, February 13, 1813.—Personally appeared the above named Moses Townsend, in presence of the committee appointed by the House of Representatives, on the subject of impressed seamen, and solemly swore that he would make true answers to such questions as should be put to him, by the said Committee, relating the subject under their consideration.

Before me CHARLES JACKSON, *J. Peace.*

[No. 8.]

The Deposition of WILLIAM W. OLIVER.

I William W. Oliver of Salem, in the County of Essex, do depose and say—That I have been an officer in the Custom House in that town for nineteen years past, ten of which I have been the Deputy Collector of that District.

The cases of impressments from Salem, which have come within my knowledge, are the following:

John Dalton was impressed by the British about ten years ago, I think; application has been made through the Custom House,

to the Secretary of State, for his discharge; I do not know the result of it, but believe he is still absent. I think there has been more than one application; the last was about two years ago; the first was made soon after his impressment, I should say about eight years ago. He was a native of Salem; he had a protection.

Elijah Eldridge, a native of Salem, was impressed about 1807, and was released immediately upon my application; I had known him from a boy—He had a protection. I cannot undertake to say that he was impressed, or whether he entered; but I understood from his friends that he had been impressed.

I have no recollection of other cases, except those mentioned in the deposition of Moses Townsend, Esq. and of three of them, viz. Vincent, Patterson and Clerk, I have no knowledge or recollection. Of all those cases, I think McMillan and Bacon, with Dalton above mentioned, are still absent; all the others have returned.

There was one other case, that of one Talbot, (whose [illegible]stian name I think was Francis,) a blackman, and native of [illegible]lem, who was impressed before the embargo, and is still detained, as I believe. He had a protection, being known at the Custom House to be a native of Salem; the instructions from the Secretary of State to the Collectors, however, are not to issue protections to blacks, or people of colour. Talbot's father has taken out protections twice, and I think three times, for the purpose of obtaining the release of his son; whether application has been made by him I do not know. I do not know from what vessel, or by what vessel, he was taken.

The law for granting protections was received at the Custom House, in the summer of 1796, and the first protection granted from the Custom House at Salem, was on the first day of August, 1796.

WILLIAM W. OLIVER.

Suffolk, ss. *Boston, February* 13, 1813.—Personally appeared the above named William W. Oliver, in the presence of the Committee appointed by the House of Representatives, on the subject of impressed seamen, and solemnly swore that he would make true answers to such questions as should be put to him, by the said Committee, relating to the subject under their consideration. Before me, Charles Jackson, *J. Peace.*

[No. 9.]

The Deposition of Joseph Peabody.

I Joseph Peabody, of Salem, in the County of Essex, merchant, do depose and say—That I have been engaged in commerce and navigation about twenty eight years; eight of which, or thirea-

bouts, I was master of a vessel. For the last twelve years, or about that period, I have employed, upon an average, annually, in my vessels, one hundred and fifty seamen, in foreign trade.

None of my seamen have ever been impressed, or detained, except the two following, viz. John Christian, a Swede, was impressed about a year ago, from my brig George, (C. F. Tucker, master,) at Gibraltar, and put on board an English sloop of war; the sloop of war sailed before my captain knew of her departure; but the brig George, soon after proceeded to Malta, and there found the same sloop of war; and Capt. Tucker, upon application obtained the release of Christian, without any difficulty. I presume Christian had a protection; he was naturalized, as I believe.

Josiah Cotton of Plymouth, was a seaman on board the schooner Fish-Hawk, Jacob Lee, master. While at Trinidad, in a public house, (as Capt. Lee has informed me,) in company with some English seamen, belonging to a ship of war, he took sides with the Englishmen in opposing their officers, and was in consequence carried with them on board the ship of war, and detained. He was afterwards released without application, and has since returned home and applied to me for his wages. He was taken as above, about two years ago. I do not know whether he had a protection or not; he was shipped at Baltimore.

The above are the only instances of impressments from any of my vessels, at any time.

I have no personal knowledge of any other cases. I have heard of the cases of Samuel Shepard, Samuel Larrabee, Daniel McMillan, which are mentioned by Moses Townsend, Esq. in his deposition. Shepard has since been released, and I think the two men which were taken with him, from the Cynthia, (John H. Andrews, master,) have also been released; I have seen Shepard myself since his discharge.

James Symonds and Joseph Symonds, also of Salem, who were impressed, have also been released, as I have learnt from a letter from them to their father, which I have read.

JOSEPH PEABODY.

Suffolk, ss. *Boston, Feb.* 13, 1813.

Sworn to as the preceding, before

Charles Jackson, *J. Peace.*

[No. 10.]

The Deposition of Nathan Felton.

I Nathan Felton, of Danvers, in the County of Essex, do depose and say—That I have been one of the Selectmen and assessors of said Danvers, for fifteen years past, and Town Clerk for twelve years past.

I know of no cases of seamen belonging to Danvers, that have been impressed. I never heard of any person of the name of William Tyson Bunch, in the town. I was born in the town, and have always lived there.

NATHAN FELTON.

Boston, Feb. 13th, 1813.

The above named Felton, made oath to the truth of the above affidavit, before me LEMUEL SHAW, *J. Peace.*

[No. 11.]

The Deposition of SAMUEL PAGE, Esq.

I Samuel Page of Danvers in the county of Essex, Esquire, do depose and say, that I was born in Danvers and have always resided there—I have never known or heard of any person in the town by the name of Willam Tyson Bunch. I have never known of any person residing in the town who has been impressed or detained by any foreign nation. I have been concerned in navigation for upwards of twenty years, and have never had any men impressed from my vessels.

It is possible that in some vessels which I have been concerned in with people of Salem, there may have been cases of foreigners impressed; but I am positive no American seaman has ever been taken from my vessels.

SAMUEL PAGE.

Boston, Feb. 13th, 1813.

Sworn to before me

LEMUEL SHAW, *J. Peace.*

[No. 12.]

The Deposition of JOSEPH MUDGE.

I Joseph Mudge of Lynn, in the County of Essex, mariner, do depose and say—that I have followed the occupation of a mariner for about twenty years, and have been master of a vessel from the first of January 1800, (except about four months of the year 1812, while I was mate of a vessel, in order to get a passage to the United States from abroad.)

I have had seamen frequently taken from me by British cruizers, but never had any man that I knew to be an American, taken from me, that was not released upon my application. The following seamen have been taken from me, viz. Manuel, a Portuguese, was taken from the brig Chatham under my command, by

the Hawk sloop of war, in the West-Indies in the year 1802; my vessel was taken at this time, but the above named Portuguese was the only man that was finally detained.—I had shipped Manuel in the West-Indies, and he had no protection.

In 1806 George Atwell, a native of Lynn, was taken, on shore at Liverpool in England, from the brig Bickford under my command; on applying myself at the rendezvous, he was released the same night about eleven o'clock; I had his protection on board, and on my producing it, his release was allowed as above; the press-gang at the same time threatened me that they would take me the next day; they had taken me twice before; but upon my threatening them, and telling them that I should carry a pair of pistols with me, they troubled me no more. I never was at Liverpool afterwards.

In 1807 (I think about the month of December, or perhaps in January 1808,) a man that was shipped by me at Madeira, was taken from me in the brig Bickford; I do not recollect his name, nor the name of the vessel that took him; he had no protection, and I never looked after him, supposing him to be an Englishman.

In 1808, in the Mediteranean, about the month of September, I had one man taken from me, who had come on board without my knowledge; he owned himself to be an Irishman and was taken away, as he had come, without my interference.

In March 1808, I had a Portuguese taken from me by the name of Manuel, or Emanuel; he was taken from on board the schooner Hazard under my command, by a British ship of war, that I do not recollect the name of, at Messina in Sicily. I had shipped him at Gibraltar, and he had a Portuguese protection, I believe from the Portuguese consul; I applied for him, and the American consul at Messina applied for him, and the British Consul there also promised to apply for him; but the applications were without success.

In 1810, a man by the name of Thomas Porter, belonging to Marblehead, and a native of that place, was taken while my vessel, the brig Hannah of Lynn, lay at St. Bartholomews; said Porter was at the time on board of a droger, or coasting sloop, on my business. He was taken by a British brig of war, I was informed of his being taken; but the British brig had sailed for St. Kitts, before I could apply for him. I immediately took passage and followed him, and got him again by applying to the Captain, who being on shore gave me an order to his officers and he was discharged. I do not recollect whether he had his protection with him or not; I think it probable his protection was in my hands; as that was my usual practice in foreign ports.

In 1811, I sailed from Boston in the ship Hannah belonging to Hon. Wm. Gray, for Marseilles; in February of that year was captured by the British cutter Enterprenante, in the Mediterranean, and sent to Gibraltar—all my men's protections were taken from me with my other papers, two of my men were detained

they both belonged to Beverly; one was Joseph ——— and the other John ———. On applying for them to the captain of the cutter, after several applications, Joseph was given up, the captain telling me he was good for nothing; John was a Dane, by birth, but naturalized in the United States, and served his time with Captain Benjamin Bickford, of Beverly, and had his protection and certificate of naturalization with him; they told him he must either go to prison or must do duty on board; as they were at war with the Danes; he was put on board the guard ship and preferred going to prison; he was released after about twenty days—on my petitioning to the admiralty Judge, the protections were all returned to me.

In 1812, about the month of August, I shipped on board the schooner Ocean, John Cruft of Boston, master, at Malta, to get my passage home, and shipped as mate. While acting in that capacity was boarded by a British officer from a schooner of war at that port, who requested to see the protections of the crew, all which I shewed him in the cabin, and he examined the men accordingly. After which coming on deck, he ordered two of the men into his boat; they observed to the officer that he had seen their protections, and by his request produced them again; he however attempted to pocket the protections, but they took them from him and handed them to me; he then ordered his men to heave the two men into his boat, which they did and carried them on board. They were both Americans, that is, Benoni Baker, of the town of———, on Cape Cod, and China Owens of the town of ———, in the interior of Massachusetts. The Captain of the Ocean applying on board the schooner of war, was told to call again at eight o'clock in the morning, when the commander would be on board. This I was informed of at the time by Captain Cruft. Captain Cruft then told them that he should apply to the admiral if they did not give up the men, upon which they released the men. The British vessel sailed at six o'clock the next morning.

After the officer had ordered the men to be put into his boat, as above stated, I observed to him, that if his Britannic Majesty's vessels were commanded by gentlemen, we should not have so much difficulty between the two countries; he asked me what I meant by it; I told him he was a blackguard, and no gentleman, and that I had treated him like a gentleman; upon which he drew his dirk and threatened to take me on board. I armed myself with a hatchet and told him to keep off at the risk of his life, which he did.

I know of no other case personally, of men belonging to the town of Lynn, that have been impressed—Col. Breed of Lynn has often enquired of me if I knew any thing of his son, who he said was on board of a British man of war; I do not recollect now whether he told me his son was impressed or not; but he mentioned that he had frequently applied for his discharge to the Secretary of State, and to the American agent at London—His name was Joseph Breed.

I have also been informed by Mary Lindsey of Lynn, that her son Benjamin was impressed about six years since and that she had had several letters from him; he was on board the Hazard sloop of war, I think. She has since told me, (about six months ago) she had heard of his death on board.

JOSEPH MUDGE.

Suffolk, ss. Feb. 15th, 1813.

Sworn before me

Alex. Townsend, *J. Peace.*

[No. 13.]

The Deposition of Zachariah Atwell.

I Zachariah Atwell, jun. of Lynn in the county of Essex mariner, depose and say—that I have been master of a vessel about seven years past. I never have had any seamen taken from vessels under my command, except the following, viz:—John Antonio, a Portuguese boy, was shipped by me in Boston, in September 1810, I think. When I arrived at St. Ubes, he was demanded by the Portuguese government and taken from the vessel by order of that government, signified to me by the Deputy Consul of that place, Mr. Hagermeister; he had no protection and was not in my muster-roll.

An English boy, whose name I do not recollect, in the year 1809, came on board my vessel, the Pocahontas, while I lay at Lisbon; he staid two or three days, and was taken out by a man of war's boat, which is the last that I have heard of him. He had no protection and was not in my shipping paper.

I know of one other case, viz:—William Lamphier, who called himself an Englishman; I shipped him in Norfolk, Virginia, in April, 1812; he was sent on board my vessel by David Hall of Portsmouth (Virginia) who called him his apprentice and signed the shipping paper on his behalf as his master. He brought with him to me, the protection of Lamphier, as well as of George Boush, who was also his apprentice, as Hall informed me. I was captured on my voyage from Lisbon, for Boston, and was carried into St. John's, Newfoundland, about the 21st of July, 1812; all my crew were released except Lamphier, who had entered on board the sloop of war, and did duty as a sailor at the time while I and my crew were prisoners on board of her. He declared himself to be a native of Liverpool, in England.

The protection which Hall, his master, gave me as above stated is hereto annexed.*

* The *forgery* being apparent only in the *original* protections, it is useless to insert *copies* of them; the *originals* may be inspected on the files of the House of Representatives.

The only other case that I know of from the town where I live, is that of Joseph Breed, a son of Col. Fred Breed, of Lynn, who, as his father has informed me, is now on board of a British man of war; I have always understood that he was impressed.

I have also heard of the case of Benjamin Lyndsey, stated in the deposition of capt. Mudge; I had the information from his mother, to the same effect as capt. Mudge has stated.

In addition to the foregoing I should state that while I was in Norfolk, in April 1812, I shipped a man that I picked up at a boarding-house there; the landlord brought into the room a handful of protections, and took out one and handed to the seaman, saying, "there is one that will fit you." The name in the protection was John Johnson, and the protection stated that the man named in it had lost the great toe off his right foot; but I discovered some time afterwards that the man I shipped had not lost either of his toes.

ZACHARIAH ATWELL, Jr.

Suffolk, ss. *Feb. 15th*, 1813.

Sworn before me,

Alex. Townsend, *J. Peace.*

[No. 14.]

The Deposition of Andrew Harraden.

I Andrew Harraden, of Salem, in the county of Essex, mariner, depose and say, that I have followed the occupation of a mariner about thirty-two years, of which I have been master of a vessel from the year 1791, to this time, excepting two voyages performed during that period. I have never had any seamen impressed from my vessels except in one instance. In the year 1802, while at Cape François, in the month of August, a man by the name of George Randall of Boston, was taken from my vessel by a French press-master and his gang, and carried on board a French frigate lying at that port. On application to the commandant of the port he was released the next morning. None of my men were ever taken or detained by the English.

I know of no other cases of impressment personally; a second cousin of mine by the name of Philemon Warner Harraden has been in the British navy for as much as sixteen years past; but I have been informed by his brother, Nath. Harraden, who resides at Washington, that Philemon had entered into the British service voluntarily, and was, by the last accounts, in India, serving as a boatswain, and that he was married in England.

I have heard of the cases of four Salem men, who were taken from the Cynthia, belonging to Salem; they were taken about the year 1805, I think; two of them were Samuel Shepard and Samuel Larrabee; the other two I do not remember. Shepard and

Larrabee have both returned; I have seen them frequently since, and from my knowledge of the time when they returned, I should think it was about twelve or eighteen months after they had been taken by the British.

ANDREW HARRADEN.

Suffolk, ss. *Feb. 15th*, 1813.
Sworn to before
Alex. Townsend, *J. Peace.*

[No. 15].

The Deposition of Josiah Orne.

I Josiah Orne of Salem in the County of Essex, mariner, depose and say—that I have been master of a vessel about twenty seven-years.

I never had any men impressed from the vessels under my command by the British except in one instance—that was in 1801. I was bound from New-York for the Havanna, about the first of August, in the brig Exchange. While at sea on the western edge of the Bahama Bank I was becalmed in sight of a British frigate (the Cleopatra, Capt. Pelew) I was boarded by the lieutenant, who requested me to go on board the frigate with my papers; which I accordingly did. On examining my shipping paper he found a name that he appeared to be acquainted with, and went on to describe the man named, in such a manner as to leave no doubt in my mind that he had known him before, and he said he should take him.—He dismissed me, with orders to his officer to bring that man on board the frigate. When we returned to my ship, the lieutenant observed, that there were two of my men that he must take; one of them had been an old shipmate of his; as he said, which was Charles Willis, who had been described to me as above mentioned by the captain of the frigate. My sailors had informed me that Willis, by his own acknowledgment to them, had not been away from the frigate above three months. The other appeared to be a green Irishman, and had a broad brogue; his name was James Wilson; they both had protections which they had procured at New-York; but when they applied to me they had no protections, and I made that objection, and observed, that if they could get protections I would ship them, which was done.—These two men were taken by the British lieutenant.

In the year 1806 while I was at Cherbourg in France, a seaman by the name of John Baptiste Sire, whom I had shipped at Boston in June of that year, and who called himself a native of Louisiana, having some difficulty with the mate of my vessel, applied for his discharge; and on my refusing it, he made application to the Commissary of Police at Cherbourg declaring himself to be a Frenchman.—The Commissary sent me the order to dis-

charge him which is hereto annexed; he came to the ship himself, accompanied by a soldier and presented me the order and I discharged him. He had a paper in the French language which he had procured in Louisiana and which he called an American protection—His name was in the muster roll, as a Louisianian; but not in the certificate of citizenship which is usually put on the back of the muster roll—He had shipped for the voyage out and home.

I afterwards went from Cherbourg to Bordeaux and being short of hands, shipped two young men, who appeared to be Frenchmen by the broken English they spoke; both of them had American sailors' protections; I succeeded in getting only one of them on board; when I got down to the mouth of the river, an officer from the guard ship came on board and demanded two French sailors of me, saying that the commandant had received information from the Commissary of Bordeaux, which stated that I had taken away two Frenchmen from Bordeaux I answered, that only one was on board, and after a strict search, not being able to find the second man, and perceiving that my steward spoke French, insistedupon taking him—This steward was an indented apprentice who had been with me two years. and was a Genoese; his name was *Jerome Rolla.* I applied to the Commandant for the release of this man. but without success, as the Commandant insisted that Genoa belonged to the French, and that the man was considered as a French citizen. and he must take him, I showed the Commandant the indentures, but he paid no regard to them, and kept this man as well as the other.

I applied to my correspondent to solicit the release of my apprentice and then left the river—about twelve months after, the man returned to me in the United States, and informed me that my correspondent had obtained his release by giving bond that he, Rolla, should return to Genoa by land, which he did.

From the year 1795 to 1800 I was usually on India voyages; from 1800 to 1807 on European voyages.

JOSIAH ORNE.

Suffolk, ss. Feb. 15, 1813.

Sworn to before

ALEX. TOWNSEND *J. Peace,*

DEPARTEMENT DE LA MANCHE.

Cherbourg, le 28 Juillet, an 1806, 13 de la Republique Française.

VILLE DE CHERBOURG.

POLICE.

Le Commissaire de Police de la ville de Cherbourg, requiert le capitaine JOSIAH ORNE, *commandant du Brick Americain Exchange, de faire débarquer* Jean Batiste Sire, *matelot sur sons bord, reconnu Francais des isles de St. Pierre Miquelon—dont la famille habite la ville de St. Malo.*

Le captaine Orne fera en même temps débarquer la malle et effets de ce marin. Par le C're de police.

GUIFFART.

[TRANSLATION.]

DEPARTMENT OF LA MANCHE,

CITY OF CHERBOURG.

POLICE.

Cherbourg, 28th July, 1806, and 13th of the French Republick.

The Commissary of Police of the city of Cherbourg, requires Capt. Josiah Orne, master of the American brig Exchange, to send on shore Jean Baptiste Sire, a seaman on board, ascertained to be a Frenchman of the Islands of St. Pierre Miquelon—whose relations are inhabitants of the town of St. Malo. Captain Orne will at the same time cause to be sent on shore the chest and effects of the said seaman.

By the Commissary of Police.

GUIFFART.

[No. 16.]

NATHANIEL HOOPER'S *Deposition.*

I, Nathaniel Hooper, of Marblehead, Merchant, do depose and say—that I have been engaged in commerce and navigation with my father and brothers for about nineteen years past, and for about seven years previous to the Embargo, we employed usually upon an average about fifty seamen in our vessels. We have never had any men impressed from any of our vessels, that we know of.

I have heard of the following cases of seamen from Marblehead—viz.

Paul Newhall, of that town, sailed from Marblehead in the schooner Abigail in the year 1809, I think. The vessel was confiscated by the French government at St. Sebastians, said Newhall entered on board a French vessel and was taken at the Isle of France when that island was taken by the English; he was allowed to be considered as a French prisoner, or to enter into the British naval service, and agreed to the latter. He afterwards wrote to his friends in Marblehead, and informed them that if the master of the schooner Abigail (which he went in from Marblehead) would certify that he, Newhall, had been compelled to enter into the French service, the English would discharge him; but the Captain of the Abigail could not do it. This information I had from his brother in law Capt. Henry N. Quiner. He has not returned home.

About eight years ago, four or five men were taken by a

British ship out of a fishing vessel belonging to Marblehead, and were restored immediately on arriving at Halifax. I presume they were Marblehead men, and I presume they had not protections, as the fishermen did not usually take protections at that period ; but I do not know how the fact was in this case. Jacob Wadden, of Marblehead, was discharged in France from an American vessel, that was sequestered there (under the Berlin Decrees in the December after it was published) and he was afterwards found to be on board of a British man of war ; I have never heard that he was impressed, and on application by his friends about two or three years ago he was released. I do not recollect any American impressed from a Marblehead merchant vessel by the British.

NATHANIEL HOOPER.

Suffolk, ss. Feb. 15. 1813.—Sworn to before me
ALEXANDER TOWNSEND *Just. Peace.*

[No. 17.]

BENJAMIN T. REED'S *Deposition.*

I, Benjamin T. Reed, of Marblehead in the County of Essex, merchant, depose and say, that I have, with my brother, been engaged in trade and navigation, for about eighteen years past. Before the Embargo, we usually employed two vessels annually, the crews of which would be from twelve to fifteen men—we never had any men impressed from our vessels previous to the Embargo, to my recollection—Since that time, viz. in July 1808, two of my vessels sailed from Marblehead for the W. Indies, and were taken on their return voyage by the English—The men all returned except one, viz. Charles Rose, (I think that was his name) he shipped in Marblehead as an *American*, but I objected to his being shipped at the time, to my mate (who had engaged him) because he was an Englishman as I then thought, and as he afterwards acknowledged to me himself; but he procured an American protection, and he went in the vessel, which was either the schooner Lively, or the schooner Ocean. He did not pretend to be naturalized. He first brought with him a protection which did not answer to his person ; and then went away and obtained another which agreed with his person. He was impresed in the West Indies by a British ship of war, from which he deserted and got back to Marblehead in about three or six months after he had been taken.

During the last five years, I have employed for myself, and as agent for others, from fifty to eighty seamen, annually, upon an average—I do not know of an instance of any one of them being

impressed, and have generally settled with the men myself at the end of their voyages.

I have heard of the following cases of seamen belonging to Marblehead, who are now absent—viz.

John Smith, of that town, sailed for France about 1807, and there entered on board a French privateer, and was taken by an English armed ship and entered on board of her, where he remained till last spring, since which time his family has received a letter from him, mentioning that he had been released from the service, but was detained as a prisoner of war and was to come home in the first cartel, this information I had from his sister.

William Hooper, of Marblehead, has been on board of a British ship or ships for several years; two years ago his Father received letters from him dated on board the Elizabeth a seventy four gun ship in Falmouth, in which he says he had made application for his discharge to two different Consuls, but without effect, and was now determined to get away himself as soon as he had liberty to go on shore, which he had been promised the ensuing week, or week after that. He has not been heard of since by his friends This information I had from his Father. He is supposed by his friends to be impressed; I do not know how the fact is, nor did his father inform me.

Thomas Curtis, of Marblehead, entered on board the frigate Essex about 1798, or 17[illegible]9, and about a year ago his friends had letters from him requesting them to send out a protection that he might get a release, which was accordingly sent out and they have not heard from him since. This information I had from his aunt, Mrs. Collier; I asked whether he was impressed, but she could not say; she however, supposed he was impressed.

Samuel Brimblecom, of Marblehead, was also on board a British ship; supposed to have been impressed, but he has since returned, upon application having been made.

John Holden, who was impressed in England has been discharged, upon application, and is at home.

Richard Peirce, sailed from Marblehead seven or eight years ago; got liberty to go on shore in the Streights, and was left by his captain for alledged misconduct; he has written home (about four years ago) that he was impressed and desired to have certificates forwarded for his release, which was done.—There has been no account of him since. This information is from his uncle, Mr. Peirce.

Philip Brimblecom, sailed from Marblehead about eighteen or nineteen years since and was impressed with some others, all of whom were released except him, as his Captain did not apply for him. This was in the West Indies about the year 1793, or 1794, or at the commencement of the disturbances in the French West Indies. This information is from Mrs. Wooldridge, an

aunt of his. They have not heard from him, for six years. I do not know whether application has ever been made for his release or not.

Paul Newhall, I know nothing more of than has been stated by Mr. Nathaniel Hooper, in his deposition.

Israel Eaton, was also on board of a British ship, and has been released on application. I do not know whether he was impressed or not, he has returned home.

Benjamin Ashton, sailed from Marblehead about six years ago (before the Embargo) and entered on board a French privateer, which was taken by a British vessel of war; Ashton entered in the British ship, and was discharged last March; after which, he shipped on board of a British Indiaman on a voyage of fourteen months, and has not since been heard from.—This information was given me by his wife.

William Homan, who is absent from Marblehead, and is supposed to be on board a British ship of war, I know nothing of.

BENJAMIN T. REED.

Suffolk, ss. *Feb.* 15, 1813.—Sworn to before

ALEXANDER TOWNSEND, *Justice Peace.*

[No. 18.]

WILLIAM GRAY'S *Deposition.*

I, William Gray, of Boston, in the County of Suffolk, Esquire, do depose and say, that I have been engaged in commerce and navigation forty or fifty years, and have for the last fifteen or twenty years employed about three hundred seamen annually upon an average.

I recollect the following cases of impressments and detentions of my seamen. In the year 1811 while one of my vessels, the Rachel, was at Leith in Scotland, two of my men, to wit, Samuel Tuck, and I think Israel Foster, were impressed from the vessel; one of them I understood escaped from the man of war, and reached my vessel before she left Leith; the other I also understood effected his escape with the aid of a waterman at Liverpool. I cannot recollect any other cases of impressments by the British from my vessels; but from the multiplicity of my business, it is almost impossible for me to remember the individual cases: I have no doubt that the aforenamed Tuck had a protection.

I recollect no cases of impressments and detentions by the French, except the three Swedes taken soon after the affair of the Chesapeake, and which are stated in my letter to Col. Pickering in the year 1808.

I have had whole crews taken in my vessels when they have been captured, both by the English and French; but I do not mean to say, that the men in those cases were impressed or detained by those nations.

The other cases within my knowledge, are four men belonging to Salem, which were taken in the Cynthia, John H. Andrews, master, about 1806. I made application myself for one of them (Samuel Shephard) and he was released. I do not recollect hearing what became of the other three.

Another case, about the year 1807, was that of four fishermen, belonging to the Northfields in Salem, who were taken off Halifax, by a British ship; the British officer, as I understood, assigned as a reason, that they had no protections; to which they replied, that it was not customary for fishermen to have them. I was concerned in sending evidence of their citizenship to Halifax, by a vessel hired for the purpose, and they were released upon that application. I think their names were Symonds and Skerry.

I have lately received a copy of a letter from the supercargo of the ship Pekin, belonging to Philadelphia, on which I am an underwriter; the letter is dated the 15th July, 1812, at Calcutta, and states, that in February preceding, while he was at or near Batavia roads, the men of war, that had been ordered on an expedition, impressed every seaman belonging to the vessel; the letter gives no account of what has become of the men since.

The most recent case in my knowledge, is that of the barque Mary, (belonging to my brother Samuel Gray.) On her passage from Boston to Savannah, in November or December last, a lad belonging to Beverly was impressed (by the Southampton I think); the lad was a Portuguese or Spaniard by birth, which was the reason assigned, when he was impressed; and I understood that he had a protection, and was bound as an apprentice in Beverly.

I think I can recollect three or four cases more, in which I have been requested to apply for the discharge of men impressed, generally from Salem. I recollect one other Salem man, named Thomas Driver, who was killed in the battle of the Nile; but from the circumstance, that a sum of money passed through my hands, for the benefit of his family, which I think was a part of the subscription money, raised at Lloyd's coffee house in London) I am inclined to think he had entered into the British service; but I do not know how the fact was.

I do not recollect any other information on the subject of the present inquiry.

WILLIAM GRAY.

Suffolk, ss. Feb. 16, 1813.—Sworn to before

ALEXANDER TOWNSEND, *Justice Peace.*

[*Addition to the Hon. Mr. Gray's Deposition.*]

I can now add to the foregoing, the following cases. James Coburn of Easton, Maryland, who was taken by the Swordfish, American privateer, when she captured an English vessel lately. He had been impressed, as his brother states in a letter to me, about nine years ago. His last protection (which his brother forwarded to me,) I find is dated, June 4, 1804. He was allowed by the Marshal to go upon his parole, before I received the letter from his brother, and the Marshal has not seen him since, but will discharge him when he appears.

Two of the seamen also, that were taken in the Macedonian sometime since applied to me for employment; they said they were Americans, and that they had sailed in my employ, but I did not know them. They said they had been impressed.

I have understood, that nine of the seamen taken in the Guerriere, were impressed Americans, and have been discharged by the Marshal, since she was captured.

Two men have been landed from the Constitution, that were taken by her in the Java, in the late battle; they are Americans as I am informed, and have been discharged as such, and had been impressed.

The proportion of foreigners in the merchant service of the United States, varies much in different places. In Massachusetts Prop[illegible], I should think the proportion would be, including foreigners of all nations, from fifteen to twenty per cent.; of British subjects, I should think not more than five per cent.

The Protest of the captain of the Pekin, (the ship above mentioned) does not make mention of the impressment of the crew, which is stated in the above letter. WILLIAM GRAY.

Suffolk, ss. Feb. 19, 1813.—Sworn to before

BENJAMIN WELD, *Justice Peace.*

[*Letter referred to in the foregoing Deposition.*]

Salem, Jan. 8*th*, 1808

SIR,—Our mutual friend, Mr. Goodhue, has shewn me a letter, in which I think you ask what is the extent of the complaint against the British for impressments of our seamen. I have taken the liberty to give you my opinion, that since the Chesapeake affair, we have had no cause of c[illegible]plaint. I cannot find one single instance, where they have ta[illegible] one man out of a merchant vessel. I have had more than t[illegible]nty vessels arrive in the time, without one instance of a man's being taken by them, except three Swedes that were taken out by a French frigate. I have made enquiry of the commanders of all the vessels that have arrived in this vicinity, and cannot find any complaints against the British cruizers. I think the British engaging that our National ships shall not be searched, ought to satisfy us on that head. I presume, the only cause of the embargo was the threat of Bonaparte, that he would put his De-

cree of 21st Nov. in force. This I think, was not sufficient to justify so strong a measure. May we expect the embargo will be off soon, or must we wait to hear from France? When you have a moment's leisure, will you write what is the prospect of the times, as particular as you can consistently? You know my whole estate is in navigation and foreign commerce; and it is a very eventful moment with such property. I cannot think it possible, that we shall be mad enough to go to war with either of the two great nations.

I am respectfully, Sir, your most obedient servant,

WILLIAM GRAY.

Hon'ble TIMOTHY PICKERING,
Senator, U. S. Washington.

[No. 19.]

OZIAS GOODWIN'S *Deposition.*

I, Ozias Goodwin, of Boston, merchant, do depose and say—that I was master of a vessel about eighteen years from the port of Boston, until the year 1799—and since that time have been concerned in commerce and navigation.

The following is the only case of men impressed from any of my vessels.—In the year 1792, George Stillman, of Boston, was taken from the ship Diana, under my command, at Bristol, in England, but was returned to me the next day, on my application to the officer of the press-gang. At that time American seamen did not carry protections; the greater part of my crew were Englishmen, on that voyage.

In one other case of American seamen within my knowledge, the seaman, viz. Seth Townsend, of Boston was supposed to be impressed; but in the letter which he wrote to his mother, which I read, about the year 1807, he himself stated that he had been on shore in Liverpool, and had imprudently entered into the British service, but now wished his mother to procure his discharge.

I recollect no other cases of impressments or detentions from the town of Boston.

OZIAS GOODWIN.

Suffolk, ss.—Feb. 16, 1813. Sworn to before
ALEXANDER TOWNSEND, *Justice Peace.*

[No. 20.]

THEODORE LYMAN'S *Deposition.*

I, Theodore Lyman, of Boston, in the county of Suffolk, merchant, do depose and say, that I have been engaged in commerce and navigation about thirty five years, and have employed not less than an hundred seamen annually upon an average.

I have no recollection of but two instances where any persons have been taken out of my vessels. One was about the year 1805 or 1806; a master of one of my vessels (Capt. Barker Baker) being on a voyage from Boston to Amsterdam, was boarded in the English channel, by a British vessel of war, which took out of my ship, a Dutch boy, that was a servant to Capt. Baker; the boy had no protection nor was entered on the shipping paper; but I think Capt. Baker had brought him out from Holland the voyage before, and kept him in his family. I do not know what has become of the boy since; Capt. Baker did not, to my recollection, apply for his release; but I do not know the fact.

The other case was this, about the year 1806 or 1807 when one of my vessels was on her return from Calcutta, she had on board a Lascar, that was taken on board in India. She was boarded by a British vessel of war, and when the British officer came on board, the Lascar expressed a wish to go on board the English vessel; the master of my vessel objected to his going, but the British officer said, if the man wished to go with him he should take him, which he accordingly did.

From the year 1794 till within three years past I have usually had eight vessels at sea annually; and in no instances except the above have I had any complaints from my masters of their men being taken from them, nor has any person ever applied to me to obtain the release of any seaman in my employ, who was alleged to be impressed or detained abroad.

THEODORE LYMAN.

Suffolk ss. Boston, Feb. 16, 1813. Then Theodore Lyman Esq. above named, made solemn oath to the truth of the above declaration by him subscribed before me,

W. H. SUMNER, *Justice of the Peace.*

[No. 21.]

JAMES PERKINS' *Deposition.*

I James Perkins, of Boston, in the county of Suffolk, merchant, do depose and say, that for the last twenty years past, my brother and myself, who are partners in trade, have employed from one hundred to an hundred and fifty seamen annually upon an average.

I do not recollect but one instance in that period, where a man has been taken from any of our vessels. In the year 1807 three men were taken from our ship Hazard (then lying in Canton river) William Smith, master. Those three men were shipped in Boston; the captain on his return, informed me that the three men were foreigners; one of them, named Mc Elroy,

I have seen since; he is a foreigner to my knowledge. I cannot say whether they had protections or not.

I have never in any instance whatever, had complaints made by the masters of our vessels, of men being taken from them, except the above, according to the best of my recollection.

JAMES PERKINS.

The following are the names of the persons taken from the Hazard, as stated in the above deposition.———viz.

JAMES BEATON,
THOMAS TAYLOR,
BARNEY MC ELROY.

JAMES PERKINS.

Suffolk, ss. Boston Feb. 16, 1813. James Perkins made oath to the truth of the above declaration by him subscribed before me, W. H SUMNER, *Justice of the Peace.*

[No. 22.]

THOMAS H. PERKINS' *Deposition.*

I Thomas H. Perkins, of Boston, merchant, do depose and say, that I am a partner with my brother James Perkins, (who has this day given his deposition) have always had the particular care of that part of our business that relates to the shipping of our seamen. We have always employed at least from an hundred to an hundred and fifty seamen annually, upon an average, and I do not recollect any instances of impressments except of the three men mentioned by him, who were foreigners. In our vessels, we have usually had a fifth part and I think, a fourth part of our crews foreigners, chiefly English and Irishmen. In repeated instances, foreigners have applied to me for employment, and stated that they had no protections and did not wish to go to the trouble of getting them, till they were sure of employment, and that they could get protections through the masters of the boarding houses in town. In several instances they have brought me protections that did not agree with their persons, and told me they gave two dollars a piece for them.

The same seaman will often procure more than one protection, by going to the Custom House and proving by his own oath or that of others, that he had lost his first protection.

T. H. PERKINS.

I further state, that according to my best knowledge and belief, the house of J. & T. H. Perkins has employed, in vessels fitted for sea by them from this place, upwards of twenty five hundred persons, from the year 1793.

T. H. PERKINS.

Suffolk, ss. Boston Feb. 16, 1813. Then Thomas H. Perkins Esq. above named made solemn oath to the truth of the above declaration by him subscribed, before me,

W. H. SUMNER, *Justice of the Peace.*

[No. 23.]

Deposition of AARON BREED.

I, AARON BREED, of Lynn, in the county of Essex, do depose and say—

That I know of no cases of impressments from the town of Lynn, of my own knowledge; but the following cases from that town I have heard of.

Joseph Breed, a son of Frederick Breed; Benjamin Lyndsey, son of Mary Lyndsey, who left home the 11th October, 1805, and was impressed in May, 1806, by the sloop of war Hazard; he died on board, as it is believed, about two years ago; I cannot say whether any application was made to the American or British government for his discharge; I am inclined to think not; nor do I know whether he had a protection; I think he wrote home that he was impressed at Plymouth, in England. Benjamin Gray, about June last, informed me that he left Lynn, and went to Boston, at the age of four years, and there staid till he was twenty; then he followed the sea, and sailed out of one of the southern states; and was impressed by the British, and there kept in different ships for seventeen years. He then procured his discharge by means of the consul in some foreign port.

William Flint left Lynn about 1791. In 1800, he was seen in Portland, by Ezra Mudge, of Lynn, who informed me, that Flint told him, that he had been on board of a British man of war; but I do not recollect that Flint told Mudge that he had been impressed, nor how he had been discharged.

AARON BREED.

SUFFOLK SS.

Boston, Feb. 18, 1813.—The within affidavit sworn to before me,

ALEX. TOWNSEND, *Jus. Peace.*

[No. 24.]

Deposition of NAHUM MITCHELL.

I NAHUM MITCHELL, of Bridgewater, in the county of Plymouth, depose and say—

That I was born and have always lived in Bridgewater. I have never heard of any cases of persons impressed from that town. There never was any man of the name of William Robinson within my knowledge impressed from that place. I have been a selectman five years; but not within ten years past.

NAHUM MITCHELL.

SUFFOLK SS.

Feb. 16, 1813.—Sworn to before

ALEX. TOWNSEND, *Jus. Peace.*

[No. 25.]

Deposition of JOHN THOMAS.

I, JOHN THOMAS, of Kingston, in the County of Plymouth, esquire, depose and say—

That I was born, and have always lived in that place. Anthony Tamer, a resident in that town, was a Hamburgher by birth, and lived in Kingston, about ten years; he had run away from a British man of war, and got on board of an American fishing vessel, that brought him to Kingston. He procured a protection as an American seaman, and was impressed, as he told me, about two years ago on the coast of Europe, and by means of his protection was released, on application of the consul or agent, in London, and is now at Kingston. I never heard of any other instance of impressment from the town.

JOHN THOMAS.

[No. 26.]

Deposition of WILLIAM ORNE.

I, WILLIAM ORNE, of Salem, in the county of Essex, merchant, depose and say—

That during the last twenty years, I have employed, upon an average, about six y men annually, in my vessels. The only cases of impressment from my vessels, that I know of, are the following.

In 1803, the ship Essex, Joseph Orne, master, being bound from Salem to Amsterdam, had a man, by the name of James Newhall, on board, who was impressed on the passage. Newhall said he was born in Windsor, in Connecticut, and at the time of his being taken, told the captain of my ship, that he had forgotten to take out his protection from America, and the captain desired me to send it out to the consul, in London.

I wrote to the selectmen of Windsor, who answered me, that there was no such man belonged to either of the towns of Windsor or East Windsor. Not long after, the man returned to Salem, and was found to be a British subject.

In 1810, John Hanson, a Swede, was taken out of my brig Industry; he had no American protection, but had a Swedish document. He soon after returned to Salem, and I have paid him off.

WILLIAM ORNE.

SUFFOLK SS.

Boston, 19*th Feb*. 1813.—Sworn to before me.

JAMES SAVAGE, *Jus. Peace.*

[No. 27.]

Deposition of JOHN TUCKER.

I, JOHN TUCKER, of Gloucester, in the county of Essex, do depose and say—

That I have been master of a vessel for about forty-seven years and until the last sever years. I never had any men impressed from any of my vessels. About the year 1796, while I was lying at St. Pierre's, Martinique, an English officer from one of the frigates there, demanded a sight of the protections of my men, as the laws of my country, as he said, made it necessary that my men should have them. I told him, I knew of no such law, having been absent about twelve months from my country. He told me, he should take my men on board for examination. I followed them on board; they were detained about an hour, and then discharged.

I know of no case of impressments from the town of Gloucester, except the following.

A relation of mine, by the name of Aaron Burnham, has been in the British service about two years, and says he was impressed on shore in a British port; he has written home frequently, but has never expressed any desire to be discharged, that I have heard of; his father and I are very near neighbours, and I have frequently conversed with him, when he has informed me of receiving his son's letters; but he never stated that his son was desirous of returning.

Daniel Parsons and Ignatius Parsons, I have heard, were on board the British navy; but I have no knowledge of their having been impressed.

About the year 1796, (it was before our seamen took protections) while I was at Amsterdam, three of my men, viz. Jona. Cook, John Medley, and John ——, an Englishman, requested a discharge from my vessel, and entered on board an English merchant ship, at that place. They went to Lisbon; and while there, were impressed on shore by some British ship. Cook has since been home, and is now again in the British merchant service. I have never heard of Medley since; he has left a family in Gloucester, but they have never applied, to my knowledge, for a discharge. Cook and Medley were both of Gloucester.

Benjamin Oakes, of Gloucester, was taken about two years ago, as I have understood, and that it was for want of a protection; a protection has been sent out to him, at Halifax, and he has not yet returned.

Nathaniel Riggs, of Gloucester, was on board a British ship, into which he had entered and served, and received his wages and prize-money. He has been at home four or five years.

JOHN TUCKER.

SUFFOLK, ss.

Boston, Feb. 18, 1813.—Sworn to before me.

ALEX. TOWNSEND, *Jus. Peace.*

[No. 28.]

Deposition of JOSEPH MOODY.

I, JOSEPH MOODY, of Kennebunk, in the county of York, depose and say—

That I have resided in that place ever since the year 1780, and have been concerned in commerce and navigation for the last 16 or 20 years, and have employed usually, in vessels in which I have been concerned, upon an average, from 40 to 50 seamen, annually, except during the embargo and non-inter-

course. I have never had any men impressed from any of my vessels. The greater part of the voyages have been to the West Indies, and some to England, and other parts of Europe.

I know of one case, from Arundel, (which is the port of Kennebunk)—About twelve or fifteen years ago, a young man by the name of Tobias Lord, was taken out of a Kennebunk vessel, by a British officer, and detained a short time, (my impression is, that it was a month or two) and made his escape in the night, after being taken a second time, while they lay in port, on that voyage. He returned in a short time; whether in the same vessel or not, I do not know.

From the same port, there was one other case; that of —— Day, about six or seven years ago. He was in Halifax, four or five years ago, and wrote to his father to send out a protection, or other evidence; and stated that upon receiving evidence, he would be discharged, as the officer assured him. I saw the letter—the evidence was sent out and he has been at home two or three years.

JOSEPH MOODY.

SUFFOLK, SS.

Feb. 18, 1813.—Sworn to before

ALEX. TOWNSEND, *Jus. Peace.*

[No. 29.]

Deposition of WILLIAM DAVIS.

I, WILLIAM DAVIS, of Plymouth, in Massachusetts, depose and say—

That I have always resided in that town, and have been one of the Selectmen of the town for twenty years.

The following are the cases of impressments, which I have heard or known of, from that town.

Barnabas Otis, jun. a native of Plymouth, was impressed about eight years ago; he had no protection; he made his escape about two or three months after his impressment. He was impressed from a vessel belonging Mr. B. Hedge, jun. of that place.

I have heard of two other cases; one was —— Bartlett, of Plymouth, who was impressed from a fishing schooner, about eight years ago; also, —— Burgess, of Carver, taken at the same time, I think. They were both released upon application. I think they were detained about six or eight weeks; but cannot be particular as to this fact. I recollect no other cases from Plymouth.

WILLIAM DAVIS.

SUFFOLK, ss.
Feb. 19, 1813.—Sworn before
BENJ. WELD, *Just. Peace.*

[No. 30.]

Deposition of ISRAEL THORNDIKE.

I, ISRAEL THORNDIKE, of Boston, in the County of Suffolk, esquire, depose and say—

That I have for a considerable part of the time for ten or twelve years past (excepting the time of the Embargo) usually employed, on an average, more than two hundred seamen annually, on board my own vessels, and those which I have had under freight and charter. The average of the length of the voyages I should think was about six to eight months; not exceeding eight months.—

I have not had more than six or seven men, to my recollection, impressed from my vessels, and those vessels employed by me, during that period.—I cannot now recollect the names of the men; the names of the vessels were the ship Alexander Hodgdon, from which two or three men were taken about the year 1805 or 1806. They were, as I understood from the captain, all foreigners.—I think they were shipped in Leghorn—and I think they were impressed on a voyage from that place to the East Indies.—I do not know whether they had any protections or documents, or not—and have not since heard of them.

The brig Hector had one man impressed from her, off the Isle of France, about 1803 or 1804. He was, as I was informed by the captain, a Frenchman; and I am inclined to believe he was shipped at Beverly—but do not know whether he had a protection or not, nor have I heard of him since.—

The brig ——, Swazey, master, lost one man in Liverpool, about 1809. His name was Neptune, an African, and he had there entered into the British service, while in a state of intoxication as I was informed by the supercargo. The man had formerly been a servant in my family—I have not since heard of him. The brig Gilpin had two men taken from her, while on her voyage to Russia in 1811, as I was informed by my clerks, who had their information from the captain. These two men were both foreigners as I have been informed—I have heard nothing of them since—nor do I know whether they had any protections or not.—

Daniel Parker, a British subject, who had a wife and family in Beverly, was impressed from one of my vessels about twenty years since, in the Downs, or some other port in England.—He

was, as I was informed, requested by an officer of my vessel, at the time when he was taken, to declare that he was an American; but said he would not deny his country, and surrendered himself.—This information I had from the captain of my vessel, the Fabius.—He has since returned to his family in Beverly—I think he returned about twelve, or fifteen years since. I have no recollection of any other case of impressments from any other vessel in which I have had a concern.

ISRAEL THORNDIKE.

BOSTON, SUFFOLK, ss.

On this eighteenth day of February, in the year of our Lord one thousand eight hundred and thirteen, personally appeared Israel Thorndike above named and made oath to the truth of the above before me.

JOSIAH WATERS, *Jus. Peace.*

[No. 31.]

Deposition of JOSIAH WATERS.

I JOSIAH WATERS, of Boston, in the county of Suffolk, depose and say—

That I have been a clerk in the custom house, at Boston, for about fourteen years, and until the year 1809.

The first protections granted to American seamen, were in the year 1796. The manner of granting protections was this—Sometimes the seamen brought certificates of their being citizens from a magistrate, or notary publick, the town clerk, or minister of the parish; such certificates were generally considered as conclusive evidence, and protections were granted accordingly.

In some instances, the seamen were known personally to the custom house officers, or clerks, and protections were granted, in such cases, a declaration, on oath, being first made, by the clerk or person who knew the seaman, before the collector himself, who kept on file a certificate of such declaration.

In some cases, I should state, that we did not consider the above certificates as conclusive, and sent for the persons who had made oath before the magistrate or notary publick to the citizenship of the seaman in question; and if the witness did not give satisfactory evidence, a protection was refused, notwithstanding the certificate of the magistrate.

It was the custom to grant new protections to the same seaman, upon evidence of his having lost the first one, and producing a new certificate from a magistrate; in some cases, their

protections were worn out and defaced, and we granted new ones, upon delivering to us the old ones.

In the course of the period abovementioned, it happened in many cases, that the seamen used to bring as witnesses to prove their citizenship, the masters of boarding-houses in Boston; and, in some instances, the same masters of boarding-houses were brought so often, as to excite suspicions of their veracity, and their oaths were not afterwards admitted. I recollect two, who were thus suspected, and their oaths were never afterwards received.

When the muster rolls were to be certified, the protections of the seamen composing a crew, were all examined at the custom house; and, in many instances, false protections were detected and destroyed. Two of such false protections I have preserved, and herewith exhibit them*; one of them is an entire forgery, and the other is an altered one. I have destroyed hundreds of such false ones myself.

I have also an altered protection, (herewith exhibited) granted originally to Paul Rice; it was brought to me, as a notary publick, by John Banks, whom I thought, by his speech, to be an Englishman; and, upon my charging it upon him, he acknowledged himself to be an Englishman, that his name was John Banks, and that he was born in White Haven, in the county of Cumberland, in Great Britain; the protection is altered, in the description of the height of his person. The three protections above-mentioned are hereto annexed.

In one instance a half quire or quire of blank protections were brought to the office, which had been found in the possession of a sailor, by Mr. Green, of Boston, who brought them to the custom house, to be destroyed. They were mere blanks, without seals or signatures.

J. WATERS.

SUFFOLK ss.

Feb. 18, 1813.—Sworn to before

ALEX. TOWNSEND, *Jus. Peace.*

[No. 32.]

The Deposition of EDWARD LANDER.

I Edward Lander of Salem, in the County of Essex, merchant, depose and say—That while I was in Leith, in the year 1811, in October, two men belonging to the Rachel, owned by Hon. William

* The *forgery* being apparent only in the *original* protections, it is useless to insert *copies* of them; the *originals* may be inspected on the files of the House of Representatives.

Gray, were taken from the vessel by an English boat; their names were Israel Foster and ——— Tuck, of Beverly, in Massachusetts. Foster was released the next day, or the day after, and returned home in the same vessel. The other was put on board the Diadem sixty-four, which went to sea before the application reached her. At the request of the captain of the Rachel, I wrote a letter to the American Consul at London, (Mr. Lyman,) which captain Mattinly (master of the Rachel,) signed and forwarded. The letter was written the day after the men were taken, but before the return of the man who was released as I have stated above.

I have understood since my return to this country, that Tuck effected his escape at Spithead, by means of a waterman, in about one month after his impressment. They were both Americans, and had protections.

EDWARD LANDER.

Suffolk, ss. *Feb. 18th*, 1813.
Sworn to before
Alex. Townsend, *J. Peace.*

[No. 33.]
The Deposition of William Story.

I William Story of Marblehead, in the County of Essex, depose and say—That I have been master of a vessel from the year 1797, to 1807. That I have heard of the following cases of persons now absent from Marblehead, on board of British ships.

John Smith, a native of Marblehead, was impressed, as I have learnt from letters of his, which I have read; the letters stated when and where he was impressed, and on board of what vessel; he was, by the last accounts, on the Jamaica station. I do not know how long he has been under impressment.

William Hooper, a native of Marblehead, was impressed, I think about seven years ago. He has repeatedly written home to his friends, and they have sent out documents for his release, but he has not yet been released, so far as his friends know. He was, during his impressment, kept on ship-board for three years, without going on shore, as he stated in his letters; he was mate of a New-York vessel, I think, at the time he was impressed. I think there can be no doubt he had a protection, because it was then customary for seamen to take them.

John Holden, a native of Salem, sailed from Marblehead, about 1810, in the brig Helen, owned by Joseph Barker; was impressed the same year, from on board a letter of marque which had captured the Helen; he had a protection and shewed it, but without effect. He wrote home several letters, and his friends forwarded documents to the Consul at London; he was in Lisbon when he

documents arrived in England, and information was received by the Admiral on the Lisbon station, that Holden was an American, and he directed the captain of the ship where Holden was, to discharge him; which was not done, however, till capt. Thompson (of Marblehead,) made application to the Admiral again, and stated that he knew Holden; upon which the Admiral gave another order to the captain, and stated to captain Thompson, that he before that time had ordered his discharge. Upon the Admiral's second order, Holden was discharged, and returned to the United States, in the summer of 1812. This information I had from Holden himself, and from Captain Thompson.

Thomas Curtis, a native of Marblehead, was impressed about ten or twelve years ago; he has written home several letters to his friends, who have sent out documents for his release, to the Consul in London; the last letter from him, I think was about three years ago, which was the last that I know of him. I do not know whether he had a protection; but I can have no doubt that he had. This information I have from his friends, and from his letters, some of which I have seen.

Samuel Brimblecom, a native of Marblehead, (whose mother was a Wooldridge,) was impressed about eighteen or twenty years ago; I do not know where nor from what vessel; he has written home letters, some of which I have seen; the last was dated I think, about three years ago, and I saw it last summer. His friends have sent out documents to London, but he has not been released, that they have heard of.

Richard Pearce, a native of Marblehead, was impressed at least six years ago; I do not recollect where, nor from what vessel, nor on board of what vessel he is now. I have seen letters from him, and his friends have sent out documents; but he has not been released, that they have heard of.

Philip Brimblecom, a native of Marblehead, was impressed, and was discharged, or escaped, as I am inclined to think, about a year ago, and has returned to the United States; he must, I think, have had a protection.

Paul Newhall, a native of Marblehead, was impressed in England, I think, at least four years ago, and was asked to enter, which he refused. His letter, which I have seen, states also that he was kept on bread and water, upon so short allowance for a fortnight, I think, that he was obliged to enter, to save his life; that was the substance of his letter. He had a protection when he sailed.

Israel Eaton, a native of Marblehead, was impressed about four or five years ago, I should think; I believe it was in the Mediterranean. His friends have had letters from him, and documents have been sent out; he has since been at home, as I am informed. In one of his letters to his friends, he mentions, that he had been turned over from the ship that impressed him, to another ship, on board of one of which, he met with his brother, William Eaton, who had been supposed to be dead for many years,

having been absent from Marblehead ever since about the year 1790, as I think. Israel's letter states, that his brother informed him he had been impressed, but how long before, I do not recollect. William has not returned. I have no doubt but that Israel had a protection.

Benjamin Ashton, a native of Marblehead, was impressed, I think, after the embargo; I do not know from what ship, nor where. His friends have had letters from him, which I have seen. I do not know whether application has been made for his discharge or not. He had a protection. He has not returned, to my knowledge.

The above named are all from whom letters have been received.

Their letters state, generally, that they had been turned over from different ships to others, and to different stations; and that they had attempted to escape, and been taken back.

The following persons are known to me to be natives of Marblehead, and have been absent several years. viz.—John Nicholson, William Homan, Thomas Mitchell, Jacob Wadden, Ambrose Dodd, William Mitchell. Their friends suppose them to be under impressment. This information I have from a person who conversed with their friends; and who says that their friends had ascertained them to be under impressment, by the British.

Joseph Furness of Marblehead, was taken in August last, by one of the British ships of war on our coast; I think it was the Belvidera. He was in the private armed schooner Dolphin of Salem, Endicott, master. While a prisoner of war on board the Belvidera, he was taken and carried on board the San Domingo. Several persons swearing that they knew him to be a Portuguese subject. After he got on board the San Domingo, he declared that he was an American, and would not fight against his country, and he told them they might shoot him as he stood, if they chose. On that, they put him on board the Guard-ship. Documents were sent down for his release, and he has returned home. The circumstances as above stated are according to my best knowledge and belief.

Ten men were taken from on board the ship Three Brothers, William Brown master, and myself mate, as soon as we came to anchor, in Madras roads, in the year 1794. I cannot recollect their names. Four of them had consular protections, and I was satisfied that they were Americans. The other six I expect were Englishmen. When the men shewed their protections, they were taken by the British officer, and torn to pieces. Captain Brown applied for their release, but could not obtain them. We were then left with only the carpenter, and one man on board, in distress, and so far from home.

The circumstances as above stated, are according to my best knowledge and belief.

WILLIAM STORY.

Suffolk, ss. Boston, Feb. 24th, 1813.—Then William Story above named, made solemn oath that the above declaration by him subscribed, as far as his knowledge and belief extends, is true, before me

W. H. Sumner, *J. Peace*

[No. 34.]

The Deposition of William Crabtree.

I William Crabtree of Portland in the state of Massachusetts, depose and say—that I have been master of a vessel for twenty years, and have for that period, sailed out of Portland. I never had any seamen impressed from any of my vessels. My voyages were to the West-Indies and to Europe.

On one of my voyages from Dominique, I had some seamen (belonging to a Newburyport schooner) that were passengers on board of my vessel; one of them had no protection, but was an American, as his captain informed me, and he was taken from my vessel by a British sloop of war. I made a representation to the captain of the sloop of war, informing him, that the man was an American, upon which he was immediately released, the same day. This took place in 1806.

I know of no cases of men impressed belonging to the town of Portland. WILLIAM CRABTREE.

Suffolk, ss. Boston, Feb. 19th, 1813.

Sworn to before me,

James Savage. *J. Peace.*

[No. 35.]

The Deposition of Otis Little.

I Otis Little of Castine, in the County of Hancock, depose and say—That I have been concerned in commerce about twelve years, and for the last seven years I have employed about fifteen seamen annually, upon an average. I know of no case of impressment from any vessel in which I have been concerned, except the following:

In, or about the year 1807, two men belonging to the Brig Unity, then in the West-Indies, at an English port, being on shore, without their protections, were taken by a press-gang; but on application of the Captain of the Unity, they were immediately released. They were American Citizens.

The only case of impressment I know of from any vessel belonging to Castine is the following: John Douglass, of Sedgwick, in said county of Hancock, was impressed from a sloop, commanded by Capt. Coan, about ten years ago, and was detained about twenty months; and as I understood then made his escape, and has returned home.

One other person whose name I do not now recollect, but who had sailed several voyages from Castine, was impressed in the West-Indies, was detained about a month, and then discharged, as I understood from him.

I recollect of no other cases of impressment from that town.

OTIS LITTLE.

Suffolk, ss. *Feb. 16th*, 1813.

Sworn to before me,

Alex. Townsend, *J. Peace.*

[No. 36.]

The Deposition of William Parker.

I William Parker of Boston, in the county of Suffolk, mariner, depose and say, that in the year 1805, I shipped as seaman on board the ship called the Charles Carter, capt. John Tompkins, at Norfolk, in Virginia, bound to London. When at London, myself with the rest of the crew, except the cook, and one green hand, left the said ship, on account of a difficulty with the said Captain. Captain Tompkins desired us to return, but we refused. Before we left the ship, capt. Tompkins gave up all the protections, to the persons to whom they belonged, except mine, which he retained. The reason why he retained it was, because he understood from me, that I was going to leave the ship.

After I left the ship, I shipped on board the ship Horizon, of Charleston, South-Carolina, capt. George Douglass, bound to Lima, and the coast of Peru. By capt. Douglass' application to Mr. Lyman, consul at London, I obtained another protection. A few days after, viz. Feb. 26, 1806, being on shore about the city, I was taken up by the press-gang; I shewed them my protection which I obtained from Mr. Lyman, they told me it was of no use, that capt. Tompkins had informed them that I was an Irishman, born in Newry, and that he knew my parents there. They produced to me a paper, which I knew to be capt. Tompkins' hand writing, stating that the seamen who had left his ship were English, Irish and Scoth, and that I particularly was an Irishman. I was taken by the gang, and carried on board the tender called the Enterprize. Capt. Douglass made application to the regulating Captain, for my release, which was of no use, as capt. Tompkins had, as I understood, sworn that I was an Irishman. I was drafted into the Valorous ship of war, and went to sea. I was detained about five years and a half, and made my escape from on board the Belfleur, a ninety eight gun ship, on the seventh day of August, 1811, at Lisbon, and got a passage on board the ship Fanny, capt. Burk, and arrived at New-York, September 15, 1811. During the time I was detained, I was in service on board the following British vessels, viz.—The Valorous, the Zeland, the Namur, the Banterer, the Nemesis, the Royal William, the Swiftsure, the Horatio Nelson, the Penelope, the Peggy schooner, the Thistle, the Shamrock, the Centurion, the Martin, the Milan, the Cleopatra, and the Belfleur as above.

I frequently wrote to my friends, requesting them to send out documents for my release, which, on my arrival home, I found had been sent to Halifax, but which I had never received.

During my detention, I became acquainted with the following American seamen, viz.—Samuel Gammon, of Boston, was on board the Guerrier, from which, he was afterwards sent on board the Victory; he told me he had been impressed, and had not entered. I do not know whether he had a protection or not.

John Merkle, son of Mr. Merkle, furrier, in Boston, was on board the Halifax, sloop of war, in 1809; he told me he was impressed about three months before, and had a protection, which he shew me.

John Fuller, of Boston; he was on board the Banterer, in 1808, he told me he had been impressed, and had escaped twice, and on being impressed the third time he had entered, to prevent being punished, as he told me; he had a protection; his third impressment was from on board an English East-Indiaman, and by the same lieutenant who first impressed him.

James Mackay, of Boston, was on board the Belfleur in 1811, he had been impressed from two to three years; he had a protection from the Custom House, in Boston. He sent his protection to Mr. Lyman, consul in London, in order for his release, but did not receive any answer, or his protection again.

I have understood, since my return, from my mother, that Admiral Coffin received from her documents for my discharge; viz. a register of my birth, baptism, and protection. I saw him within a few days after his arrival at Halifax, and spoke with him, and he did not represent to me he had any thing for me. I was on the Halifax station about two years and a half.

WILLIAM PARKER.

Suffolk, ss. Boston, Feb. 19th, 1813.—Then William Parker above named, made oath to the truth of the above declaration, by him subscribed, before me, W. H. Sumner, *J. Peace.*

[No. 37.]

The Deposition of William Bainbridge.

I William Bainbridge, Esquire, commodore and commander of the United States frigate Constitution, depose and say—that on board the British frigate Java, lately captured by the frigate Constitution, to the best of my knowledge and belief, there was but one American among the crew of the frigate Java; who is now on board the Constitution. He is a black man, by the name of ——— Freeman; born, as I understand, in New-Jersey. My impression is, that he informed me, that he was impressed.

There were on board the Java, at the time of her capture, eight

American seamen, as prisoners of war; taken from the ship William, of Portland, a prize to the Java.

In the year 1794, or 1795, while I was commander of the merchant ship Hope, of Philadelphia, I had one man impressed by the Indefatigable, Sir Edward Pelew, commander. The man's name was Donaldson, of the state of Rhode-Island, as he told me, and as I believe. He had no certificate of citizenship; but I have no doubt of his being an American. All the rest of my crew had certificates of citizenship. I have never heard of him since. On my return to the United States, I entered a protest, and forwarded it to the Department of State. I recollect of no other cases of impressment, within my own knowledge.

WILLIAM BAINBRIDGE.

SUFFOLK, ss. *Feb. 20th*, 1813.
Sworn to before
ALEX. TOWNSEND, *J. Peace.*

U. S. Frigate Constitution,
Boston Harbor, Feb. 21st, 1813.

Sir,

In answer to your note of last evening respecting the impressment of a seaman by the name of *John Turner* from the ship Hope of Philadelphia under my command, I have to reply, I commanded the ship Hope of Philadelphia from 1793 to 1798, during which period I made several voyages from France to the West-Indies. On one of said voyages, bound to St. Bartholomews, I had one of my crew impressed by an officer of the British ship of war Indefatigable, commanded by sir Edward Pelew; the seaman's name I *still* think was Donaldson, but in this, I may be mistaken, as my memory is not great at the recollection of names, particularly of sailors, having had so many under my command. *The fact is*, I never had but one man impressed from me, during my command of a merchant ship; and that was in the very latter part of the year 1796 or very early in 1797, when I was on a voyage from Bordeaux to St. Bartholomews. I think I stated to the committee, yesterday, that it was in 1794 or 1795, that the impressment took place. On further reflection I find I was mistaken, in thinking it was in those years, which mistake originated from the great elapse of time, and being in those years, in the same trade.

I am very respectfully, Sir,
Your obedient servant,
WILLIAM BAINBRIDGE.

JOHN PICKERING, ESQUIRE.

N. B. See also commodore Bainbridge's letter, to the committee, next to the deposition of John Howes, No. 49.

[No. 38]

The Deposition of Asa T. Newhall.

I Asa T. Newhall of Lynnfield, in the County of Essex, Esquire, depose and say, that I know of no cases of impressed seamen belonging to Lynnfield, except the following: Andrew Mansfield of Lynnfield, sailed from Boston about fourteen years ago, and was impressed (on his first voyage) and detained on board a British man of war. His brother, Isaac, being on board the same vessel from which he was impressed, gave the informatio to his Mother on his return. Soon after which his Mother forwarded documents for his release. He told me that he was shifted into several different vessels, which he said he supposed was the reason why he did not receive his documents sooner.

After being some time under impressment and in order to obtain better treatment, he entered; not having any prospect of being soon released; after he had entered, and two or three years after his impressment, evidence of his being an American reached the ship he was in. His release was refused, on account of his having entered. He remained in the British service about seven years; at the end of which time he was discharged, and received his wages; he returned home soon after.

Amos Newhall, of Lynnfield, sailed from Boston, about nine yea s since, and has since been seen on board a British man of war; as I have understood from his brother; but whether he was impressed or not, his friends do not know.

ASA T. NEWHALL.

Suffolk, ss. Boston, Feb. 27th, 1813.—Then the above named Asa T. Newhall, solemnly affirmed that the above deposition by him subscribed, contains the truth, the whole truth, and nothing but the truth;

Before me, W. H. Sumner, *J. Peace.*

[No. 39.]

The Deposition of Thomas H. Tobey.

I Thomas H. Tobey of Sandwich, in the County of Barnstable, yeoman, depose and say—That I know of no cases of impressed seamen from said town except the following:

Edmund Fish of Sandwich, was impressed about sixteen or seventeen years ago, and detained on board a British man of war. He wrote home to his friends, to send on documents for his release; which were sent on. About three years after he was impressed. He did not receive them; and documents were sent out a second time. I do not know whether he had a protection or not

when he was impressed. He has not returned, nor has he been heard of by his friends since.—I do not know to whom the documents were sent.

THOMAS H. TOBEY.

[No. 40.]

The Deposition of CHARLES DURANT.

I Charles Durant of Roxbury, in the County of Norfolk, trader, depose and say—That I know of no case of impressed seamen from said town, except the following:

Edward Williams of Roxbury, sailed from Boston in 1799, on board a vessel commanded by Captain Edes, for India, as I think. He told me that he was impressed by the British squadron on the India station. After being detained on board about twelve or fifteen months, he made his escape, and has since returned home. I do not know whether he had a protection when he was impressed; but I am inclined to think he had not.

Samuel C. Dudley, as I have been informed by his brother Thomas, was impresed and is still detained as I am informed.

CHARLES DURANT.

Suffolk, ss. Boston, Feb. 20th, 1813.—Then the above named Charles Durant made solemn oath to the truth of the above declaration by him subscribed. Before me,

W. H. SUMNER, *J. Peace.*

[No. 41.]

The Deposition of WILLIAM STURGIS.

I William Sturgis of Boston, in the County of Suffolk, Merchant, depose and say—that I have been concerned in Commerce and Navegation for about sixteen years; eleven years of which I have been master of a ship. My crews, upon an average, have consisted of about twenty five men. For the last two years I have employed about seventy seamen annually.

I have never had but three seamen impressed from any vessel in which I have had a concern.—These were taken from on board the ship Eugenia, under my command, at Canton. One was an American, named Lewis Brice, a mulatto, who had no protection —one an Englishman, and had no protection—the other I did not know of what country he was; and also had no protection.

I never have been a voyage without the crew being more or less composed of British subjects, with American protections.

The above named Lewis Brice returned about a year afterwards. The other two I have never heard of since.

WILLIAM STURGIS.

Suffolk, ss. Boston, Feb 20th. 1813.—Then William Sturges above named made solemn oath to the truth of the above declaration, by him subscribed, before me.

W. H. Sumner, *J. Peace.*

[No. 42.]

The Deposition of Capt. Isaac Hull.

I Isaac Hull of Boston, Esquire, testify and say—That at the time when the British frigate Guerriere was taken by the United States frigate Constitution, then under my command, the names of about twelve men were given me as Americans then on board the Guereiere, by Capt. Dacres. They informed me in general, that they had been impressed; and as I understood them, from different American ships; but as to this fact I did not enquire particularly.

In addition to the above, many others said they were Americans, and six of them, as I have been informed, applied to the District Court for their release; four of these six, I have understood, were accordingly released.

One of the above twelve had been on board this ship, as he said, five years; and had frequently applied for a discharge. He belonged to some town fifty or sixty miles back in the country, in Massachusetts, or Maine. At the time of the capture, Capt. Dacres, on my application, promised to give this man his pay ticket and prize ticket, for his five years services; but afterwards the seaman himself informed me that Capt. Dacres had refused it, after his arrival in the United States. Capt. Dacres said this man was an American, and said he was the best man in his ship. I do not now recollect the man's name. At the time of the action this man stated that he was an American, and for that reason did not fight; the others, as I understand, fought. It frequently happens that the Americans who have once been on board British ships, and have left them, are afterwards recognized by their officers and claimed as belonging to their ships. One instance of this has come within my own knowledge

One black man, who was on board the Guerriere, was about quitting his gun, as being an American, and was ordered back and fought during the action. The first lieutenant of the Guerriere told me, that he knew the man to be an Englishman, that he was born in Jamaica, and that he (the lieutenant) knew his master in that Island; and that as soon as they arrived in Halifax he intended to have the man tried by a court-martial for

cowardice. I kept the man as a prisoner; but he was upon our arrival at Boston discharged, upon application to the District Court, as an American, belonging to the State of New-York.

I do not recollect that any of the above men informed me that they had protections when they were impressed; and the fact of their impressment I have from the men themselves; except in the instance of the man who served five years, as above stated; in respect to him, Capt. Dacres told me that he was impressed. While I was in the Merchants' service, which was five or six years, I never had any men impressed from my ships by the British or French.

ISAAC HULL.

Suffolk, ss. Boston, Feb. 23d, 1813.

Sworn to before me,

James Savage, *J. Peace.*

[No. 43.]

Judge Davis's *letter to the committee.*

Boston, Feb. 22d, 1813.

Sir,

I received your letter of the 20th inst. written as chairman of a Committee, of the honorable House of Representatives of Massachusetts, on the subject of impressed seamen, requesting information relative to applications made to me, as District Judge, by certain persons captured in the British frigate *Guerriere.*

On the 6th of September last, application was made to me, in writing, by five men who were captured in the Guerriere, and held as prisoners of war, on board the prison ship *Fawn,* at Charlestown, praying for their discharge, as citizens of the United States. After some deliberation, I thought it my duty to sustain the petition; a day for hearing was assigned, and notice ordered to the District Attorney, and to Andrew Allen, jr Esq British agent for prisoners, at that time in Boston; and as the application was brief and imperfect, I directed the applicants to file in the clerk's office, in seasonable time before the hearing, separate specifications of facts, which should include a statement in what manner their alleged citizenship was acquired, and in what manner, and under what circumstances they became liable to capture.

The names of the applicants were *Nathaniel Snow, John Ball, George Reed, Henry Brooks* and *Martin Naman.*

Afterwards, viz.—On the 9th of September, a similar application was made by another man, *David Weston,* who was also a prisoner of war, captured in the *Guerriere.* His petition was sufficiently descriptive of his his case, and a separate specification was not required of him. I enclose copies of the petitions, and of the specifications filed by three of the men, viz.—*Snow, Reed* and *Naman,* under the order on the first petition.

The hearing was on the 14th of September; the result was, that it appeared to my satisfaction that *Nathaniel Snow*, *John Ball*, *Henry Brooks*, *Martin Naman* and *David Weston* were citizens of the United States, and I directed their discharge. I was not satisfied as to the alleged citizenship of *George Reed*, and he was of course remanded

John Ball filed no specification of his case, but his account given on the examination was, that he was born in Loudon county, in Virginia, and was about forty years of age, that he served his time with *Adam Hiskell*; that he went to sea in 1797; that he enlisted in the British service, in England, as a marine, served for some time in that capacity at *Chatham*, and was afterwards put on board the Guerriere. I do not recollect whether *Henry Brooks* gave any specification. If he did, it is mislaid. There was no evidence as to the impressment of any of these men, excepting their own declarations: but no proof appeared, that any of them, excepting *John Ball*, had voluntarily engaged in the British service. My enquiries were not directed particularly to the fact of impressment, for whether impressed, or not, if they were citizens of the United States, they were not liable to detention, as prisoners of war. In regard to their citizenship, from the situation of these men, and the short notice for hearing, there could be but little evidence; but on this head I was relieved by the frank deportment of Mr. Allen, who attended the hearing, and who manifested a disposition to admit every allegation, though unaccompained with strict proof, which had the probable appearance of truth. He had conversed with the officers, lately belonging to the Guerriere, on the subject Some of the applicants were expressly admitted to be citizens of the United States, nor was it denied as to any, who were discharged.

I am, Sir, very respectfully,
Your obedient servant,
JOHN DAVIS.

JOHN PICKERING, Esq. *Chairman of a Committee of the House of Representatives of Massachusetts, on the subject of Impressments.*

Guard Ship Fawn,
September, 6th, 1812.

To the Honourable Judge Davis.

May it please your honor, we the subscribers, are American citizens, now confined on board the guard ship Fawn, as prisoners of war. Wishing to fight the battles of our country, and not those of our enemy. We humbly request your interference for our release, and that we may be heard in our own behalf.

NATHANIEL SNOW, ⋈ his mark; witness, George Reed.
JOHN BALL.
GEORGE REED
HENRY BROOKS, ⋈ his mark; witness, Richard Skimmer.
MARTIN NAMAN, ⋈ his mark; witness, Richard Skimmer.

United States of America,
District of Massachusetts.

To the honorable John Davis, Esq. Judge of the District Court of the District of Massachusetts.

Nathaniel Snow, commorant in Charlestown, within said District, respectfully represents, that he is a native American citizen, and was born in Philadelphia, in the District of Pennsylvania, and is aged thirty five years, that he sailed from Wiscasset, in the District of Maine, in the brig Dun, John Rich master, in April, A. D. 1811, to Belfast, in Ireland, that he sailed in said brig thence bound to New-York, and on his return homeward was impressed, and put on board the British frigate Guerriere on the 12th day of September, A. D. 1811, and that he was captured in said frigate Guerriere, by the U. S. frigate Constitution, on the 20th day of August last past.

his
NATHANIEL X SNOW.
mark

Witness,
E. M. PARKER.

United States of America,
District of Massachusetts.

To the honorable John Davis, Esquire, Judge of the District Court of the District of Massachusetts.

George Reed commorant in Charlestown, within said District, respectfully represents, that he is a native American citizen, was born in Georgetown, in the District of Columbia, and is aged thirty nine years, that he sailed from Charleston in the District of South Carolina in the ship Northern Liberties, James Bogg Master, about the 1st day of May, A. D. 1803; to Liverpool in England; that he was impressed at Liverpool on the 3d day of July, A. D. 1803, that the leader of the press-gang took from him his protection, and put him on board the Princess guard ship, and was sent from her in a tender and put on board the sloop of war Nautilus at Plymouth, and has been transferred from ship to ship from time to time until he was put on board the Guerriere frigate from the Statira frigate at Halifax in December, A. D. 1809, and that he was captured in said frigate Guerriere by the U. S. frigate Constitution on the 20th day of August last past.

GEORGE REED.

United States of America,
District of Massachusetts.

To the Honorable John Davis, Esquire, Judge of the District Court of the District of Massachusetts.

Martin Naman commorant in Charlestown, within said District, respectfully represents, that he is a native American citizen, was born in Lancaster in the District of Pennsylvania, and is aged thirty one years, that he sailed in the schooner Orestes, John Macy

master, from the city of New-York to the Island of St. Domingo, and thence to Gottenburg, and on the first day of December A. D. 1806, was there impressed and put on board the British gun brig the Gallant, was thence transferred to the frigate Guerriere on the 24th day of December, A. D. 1807, and that he was captured in said frigate by the United States frigate Constitution on the 20th day of August last past.

Witness,
L. M. PARKER

his
MARTIN X NAMAN.
mark

United States of America,
District of Massachusetts.

To the Honorable John Davis Esquire Judge of the District Court of the District of Massachusettts.

David Weston commorant, in Charlestown, within said District, respectfully represents, that he is a native American citizen, was born in Baltimore in the District of Maryland, was sailing in an American ship and was captured in the Gulph Stream on the 14th day of June, A. D. 1808, by Captain Skeene of the British frigate Guerriere, was taken on board the said frigate and therein detained by constraint until the 20th day of August last past, when he was recaptured by the United States frigate Constitution, and that he is now held as a British prisoner on board the guard ship Fawn at Charlestown, aforesaid, whereupon he prays that his case may be examined by your Honor and that he may be discharged.

DAVID WESTON, *by his Attorney,*
Charlestown, Sept. 9th, 1812. D. W. LINCOLN.

[No. 44.]
The Deposition of LAWSON CARROLL.

I Lawson Carrol of Boston, carpenter, depose and say—that I was Carpenter on board the ship Juno, Capt. Elisha Crocker, at Liverpool, in June 1811. At which time Moses Wentworth, of the District of Maine, one of the crew, was taken up by the press gang, while on shore with me.—He had a protection from the Custom House at Newburyport, which he had with him—He was carried on board the receiving ship, called the Princess, the next day,—where he was kept till his death—which took place about eight days after he was taken up.—He was well, to appearance, when taken, and it was supposed that he died of grief—as we were informed, by a woman who saw him on board the Princess, and who brought to me his protection, that he refused to take any nourishment.—Capt. Crocker was informed, as I understood, that the regulating Captain had given orders for his release—but he was not released.

On the passage home one man by the name of William Mar was impresse' by a British sloop of war, he had lost his protection, which he had obtained by serving two years on board the Hornet.—He was an Irishman, and had a wife and children in Cheshire.

LAWSON CARROL.

Boston, Feb. 23d, 1813.
Sworn to before me,
LEMUEL SHAW, *J. Peace.*

[No. 45.]

The Deposition of CHARLES W. WILLIAMS.

I Charles W. Williams of Wells, in the County of York, trader, depose and say—I know of the following cases of impressed seamen, viz.—

Jotham M. Williams, was born in Boston, and was impressed by the British, about fourteen months ago; being then mate of a ship from Philadelphia, bound to Europe. Documents have been sent on to London for his discharge; but we have not heard of his release.

Also, Samuel Williams, who was born in Boston, and sailed from thence, as a seaman, about four years ago, and was impressed at the Havanna. Documents for his release have been sent out to London. He attempted to escape and was detected, and received sixty lashes for the attempt, after having been half an hour in the water. He writes that he shall not make another attempt to escape. I think Samuel stated that he had not a protection; having lost it.

The above are my brothers. Neither of the above have returned. Both the above had been impressed before.

C. W. WILLIAMS.

Suffolk, ss. Feb. 24th, 1813.
Sworn to before me
JAMES SAVAGE, *J. Peace.*

[No. 46.]

The Deposition of LEMUEL WALKER.

I Lemuel Walker, of Litchfield, in the county of Lincoln, yeoman, depose and say—That I was born in Arundell, in the county of York; that I know the following cases of impressed seamen, viz.—

Jonathan Walker, my brother-in-law, and who was born in A-

Arundell; and was impressed from on board a vessel belonging to Kennebunk. While in the West-Indies was impressed on board of a British frigate; he wrote home, soon after, his situation. About one year after I was in the Island of St. Christopher, the same frigate came into the Bay; I went on board and enquired for my brother; he came on deck, I asked him why he was detained there, he answered he could not tell; but that he had often applied for his release, but could not obtain it. I then applied to the commanding officer and informed him that this man was my brother and an American, and born in Arundell. He replied that when the frigate returned to England, he would be released. No application has since been made for his release.

About fourteen years [since,] I commanded a vessel on a voyage from Kennebunk to St. Vincents. A press-gang from the sloop of war Nautilus, came on board my vessel while lying in Kingston, in St. Vincents; the midshipman requested me to order my men upon deck; I replied to him, that if he had more authority than I had, he might order them himself; the crew appeared on deck at his order. He took away four men from me, I then applied to the Captain of the Nautilus to release my men; which he refused to do, giving no reasons for detaining them. I then proceeded to the Governor of the Island, and acquainted him with the circumstances, and informed that I must be under the necessity of entering my protest, and abandoning my vessel to the Colony, unless I could obtain my men. He told me that he would write to the Captain upon the subject, and that my men should be cleared; which he did and gave me the letter. After reading the letter he said he would comply with it so far as to deliver up three of them; but that he would keep the other at all events. The man which he detained was named John Talpy, a native of Old-York, in Maine. The sloop of war sailed next day—I did [not] hear any thing of Talpy for several years afterwards; none of my men had protections at that time. The Captain did not pretend that Talpy was an Englishman.

LEMUEL WALKER.

Suffolk, ss. Feb. 23d, 1813.

Sworn to before me,

Lemuel Shaw, *J. Peace.*

[No. 47.]

The Deposition of Enoch Preble.

I Enoch Preble of Portland, depose and say—that I have been master of a vessel about seventeen years. I have never had any men impressed that were not delivered up on application; and I always applied for all that I knew to be Americans. While I was in London, in 1791, two of my men were impressed;

one was a citizen of the United States; the other was a negro, a native of Jamaica, but a citizen of the U. States. They were both released the next day after their impressment.

In one instance a foreigner was taken from my vessel, in 1794. He was an Englishman that I shipped at Charleston, South Carolina. He was taken from me in the Downs; but it was at my own instance, as he was a very troublesome fellow, and I was desirous of getting rid of him.

I know of no persons that have ever belonged to Portland by the name of John Huddle, William Stocker, Ralph Bryant, John Dyer, or Thomas Flood.—John Holmes said to be of that place, has sailed with me on two voyages, and has told me that he was an Englishman, and that his true name was John Brown. When he sailed with me it was in the year 1799, or 1800, and I have not seen him since, to my recollection.

ENOCH PREBLE.

Suffolk, ss. Feb. 19th, 1813.
Sworn to before
James Savage, *J. Peace.*

[No. 48]

The Deposition of Matthew Bridge.

I Matthew Bridge of Charlestown, in the state of Massachusetts, depose and say—that I have been engaged in commerce and navigation for five and twenty years, previous to the embargo, and have usually employed, on an average, to the best of my recollection, twenty five seamen annually.

I recollect one instance of impressment from a vessel owned by myself and Thos. K. Jones, in the year 1811. The young man was a native of Portsmouth, in New-Hampshire, and resided in Boston, with his mother; his name I do not recollect. He had a protection; but notwithstanding, was taken by a British gun brig, on a voyage from Russia to London. Upon application of my son to the consul at London, he was discharged when the gun brig arrived there. My captain at the time told the British officer, that the young man was a Bostonian, that he knew his family, &c. but it was without effect. I do not recollect any other instance from any of my vessels.

I know of one other instance from Charlestown, the case of Mr. ——— Hunt, who was taken, as he informed me, about eight years ago, I think; and made his escape, after being turned from ship to ship, from Plymouth in England. He was under impressment, as he said, about six years. I made application at the Boston Custom-House, for documents, which were obtained, and which his father informed me, were sent out for his release.

He had a protection, as I have no doubt. I recollect no other cases from Charlestown, or the vicinity.

MATTHEW BRIDGE.

Suffolk, ss. Feb. 19th, 1813.
Sworn before

Benjamin Weld, *J. Peace.*

[No. 49.]

The Deposition of John Hewes, *alias* Hughes.

I John Hewes of New-London, in the State of Connecticut, mariner, depose and say—That in the year 1808, I entered as mate on board the ship William, of New-York, capt. John Stimpson, on a voyage to Calcutta. On the passage to Calcutta, I was impressed by the frigate Alexander, and detained on board her three months, and was then put on board the Exeter, where I remained about six months—I was then put on board the Hibernia, where I remained eleven months—I was then put on board the frigate Java at Portsmouth, England. When I was impressed I had an American protection, issued by the collector, Gen. Lincoln, at Boston. I was Boatswain's mate of the Java, when she was captured by the Constitution.

When the Constitution shew American colours, I declared myself an American and would not fight; I was then put below during the action. I was received on board the Constitution as an American prisoner of war, and returned to Boston in her.

Attest, Wm. Sturgis. JOHN *his mark* HEWES.

Suffolk, ss. Boston, Feb. 20th, 1813.
Sworn to before me,

James Savage *J. Peace.*

[No. 50.]

Letter of Commodore Bainbridge.

U. S. Frigate, Constitution,
Boston Harbor, Feb. 21st, 1813.

Sir,

In answer to your communication, by order of the committee, relative to the deposition of John Hughes, I have to state, that he was received on board the frigate Constitution, as one of the crew of the ship William of Portland; and that there is no doubt in my mind, that he was actually one of the crew of the

said ship William; on making particular enquiry to day on board my ship, I learn for *the first time*, that I had two more men of the Java's crew, than I stated yesterday before the committee, which error was occasioned by a young lad, (who has left the Constitution) by the name of S. ith, passing himself as one of the William's crew, when by evidence obtained to day I *first learnt* he did belong to the Java, but not *now* having an opportunity of examining him, I cannot inform whether he is an American or British sailor. I have also learnt this day, and for the *first time*, that another man by the name of Martin Cane, was actually one of the Java's crew, received on board the Constitution and confined as such; but on the prisoners going on shore, declaring himself *positively* to be an American, the officers permitted him to remain on board of the Constitution (I was then confined to my cott by my wounds) and always considered him until *to day* as one of the William's crew. The confession of Cane to day, proves him to be born in Ireland, and that he never was in the United States until his present arrival. This Martin Cane, and Freeman, (the black man of the Java's crew) both declare that Hughes did not belong to her.

Having been called by authority before your committee, and there gave a deposition, which may not appear perfectly clear, without this explanation, is the only motive of my being so minute.

Very respectfully,
Your obedient servant,
WM. BAINBRIDGE.

JOHN PICKERING, Esq.

[No. 51.]

The Deposition of BARNABAS HEDGE, JR.

I Barnabas Hedge, jr. of Plymouth, in the county of Plymouth, depose and say—that I have been concerned in Commerce and Navigation about twenty four years—and I have employed about sixty seamen annually, for fifteen years past, except the two last years—for which two years I have employed about twenty seamen annually.

I have never had any seaman impressed from any vessel in which I have been concerned, except in one instance—that was the case of Barnabas Otis, jr. mentioned in the deposition of Wm. Davis.—Nathaniel Kempton, who is stated in the return of impressed seamen, to have been impressed and discharged—was, as he told me, in the British service.—I did not understand from him that he was impressed; but my impression was, and is, that he had entered.—Within the past year he agreed to go in a vessel of mine—but just before she sailed, he came to me and

begged to be released, as he was afraid to go to sea; as he considered himself belonging to the British service, having formerly entered.

About five years since, Thomas Robbins, a native of Plymouth, was on board one of my vessels while in port in England, he with an Englishman, who was of the crew, and who also had an American protection, run away from my vessel and entered aboard an English armed vessel, and has not returned since.

I know of no other case of impressment from the town of Plymouth.

B. HEDGE, JR.

Suffolk, ss. Feb. 16th, 1813.
Sworn to before
Alex. Townsend, *J. Peace.*

[No. 52.]

Extract of a letter from Silas Talbot, Esq. agent for impressed seamen, in the West Indies, to the secretary of state, dated Kingston, Jamaica, December 12, 1797.

"While I reflect, sir, with pleasure on the check that is put to impressing our seamen, and the total discharge of all that were formerly on board admiral Harvey's division to Windward, yet I feel great anxiety for those impressed a long time since, and who are still detained on board ships of war, that compose admiral Parker's squadron on this station, more especially, as there is not any appearance of probability of their being released so long as admiral Parker has the command in these seas. If Sir Hyde should be ordered off from this station, and the command devolve upon admiral Bligh, I have reason to expect, that in such case, perfect justice would be done to our representations on the subject in question.

"Nor is it less distressing when we contemplate the hardship, the cruel and inhuman manner our seamen are frequently treated by the French. Every little while, some of those of our unfortunate men are coming in, like straggling soldiers after a battle and defeat, some of whom, when taken, are stripped naked, drubbed, and then put into a small boat to make the shore or perish in the sea; and some are retaken by British ships and brought in; others make their escape by one mean or another; but, in all cases, they are miserably poor, both in purse an appearance."

(Signed) SILAS TALBOT.

[No. 53.]

Extracts from French Laws and Ordinances.

See the TRANSLATIONS, *page* 76.

1. *Fevrier*, 1650.

"*Faisons en outre défenses très-expresses, suivant nos lettres patentes du 7 Septembre, dernier et ordonnances du 8 Décembre aussi dernier, à tous capitaines de marine nos sujets, domiciliés et non domiciliés en notre roy aume et pays de notre obéissance, de prendre commission d'aucuns rois, princes ou républiques étrangers ni arborer autre bannière que la nôtre pour faire la guerre ; et contre les dits capitaines nos sujets, qu'il leur soit couru sus par nos capitaines, gardes-côtes, et autres nos sujets ; voulant aussi que leurs procès leur soit fait et parfait comme pirates, jusqu' a sentence definitive inclusivement.*"

5. *Août*, 1676.

"*Le roi étant en son conseil, s'étant fait représenter sa declaration du 20 Fevrier, 1667, et son édit du mois d'Août 1669, par lesquels S. M. auroit enjoint à tous ses sujets étant au service des princes et états étrangers, de se retirer dans son royaume dans les termes portés par lesdits édit et déclaration, à peine de la vie ;——— et d'autant que S. M. estime qu'en modifiant ou commuant la peine de mort portée par lesdits édit et declaration, en celle des galères perpetuelles, elle en tireroit une augmentation pour la chiourme de ses galères ;——S. M. étant en son conseil, en modifiant et changeant ladite peine de mort, a ordonné et ordonne qu'au jour de la publication du présent arrêt———tous les François qui seront pris sur les vaisseaux etrangers qui seront jugés appartenir aux ennemis de S. M. seront constitués prisonniers——et lesdits François condamnés aux galères perpétuelles,*" &c.

28. *Juillet*, 1704.

"*On n'aura aucun égard aux passeports accordés par les princes neutres, tant aux proprietaires qu'aux maîtres des vaisseaux sujets des états ennemis de S. M s'ils n'ont été naturalisés et n'ónt transféré leur domicile dans les etats des princes neutres, avant la declaration de la presente guerre ; auquel cas même ils ne pourront jouir de l'effet des lettres de naturalité, si depuis qu'elles ont été obtenues ils sont retournés dans lesdits états ennemis de S. M pour y continuer leur commerce.*"

31 *Octobre*, 1784.

"*Les gens de mer classés qui, en temps de paix, auront été trouvé servant sur des navires etrangers sans permission seront condamnés à quinze jours de prisons, reduits a la plus basse paye, et serviront extraordinairement pendant deux ans à la moitié de la dte basse paye ; et ceux qui, en temps de guerre seront arrêtés sur des*

navires etrangers ou passant en pays etranger seront condamnés à trois ans de galères."

" Les chefs des classes et les commissaires feront faire la recherche des déserteurs des navires marchands——les feront arrêter, et les remettront aux officiers des amirautés ; ils leur dénonceront pareillement ceux des gens classés qui auront passé en pays étranger, et qui auront pû être arrêtés," &c.

3. *Frimaire, an 5.*

" Il est enjoint, dans le mois qui suivra la publication du présent arrêté, à tous capitaines de vaisseaux neutralisés, de justifier, par l'attache du ministre de leur nation auprès du gouvernement François, qu'ils sont nés, ainsi que les propriétaires des vaisseaux qu'ils commandent, si ces vaisseaux ne leur appartiennent pas à eux-mêmes, dans un pays allié ou neutre de la Republique Françoise, sous peine d'être privés de l'entrée des ports François et d'être traités comme espions." &c.

8. *Ventose, an 6.*

" Tous les matelots Anglois qui se trouveront sur bâtimens neutres dans les ports de la République seront mis en état d'arrestation, et déteuus jusqu' à ce qu'il en soit autrement ordonné. Seront, à cet égard, reputés Anglois tous matelots parlant la langue Angloise, et ne seront exceptés que ceux qui prouveront par pièces authentiques qu'ils sont Américains."

8 *Brumaire, an 7.*

" Tout individu natif ou originaire des pays amis alliés de la Republique Françoise, ou neutres, porteur d'une commission donnée par les ennemis de la France, ou faisant partie des équipages des bâtimens de guerre, et autres, ennemis, sera par ce seul fait declaré pirate et traité comme tel," &c.

Translations of the foregoing French Ordinances.

FEBRUARY 1, 1650.

" We likewise, agreeably to our letters patent of the 7th September last, and our ordinances of the 8th December last, forbid in the strictest manner, all our captains, being our subjects, whether they have their domicils or not in our kingdom and the countries under our allegiance, from taking commissions of any foreign kings, princes, or republicks, and from ussing any other flag than ours in war; and we order that said captains, being our subjects, shall be seized by our captains, our guard-coasts, and all other our subjects, and that proceedings shall be had against them as pirates, unto final judgment, inclusively."

AUGUST 5, 1676.

"THE king, in council, having seen his declaration of the 20th February, 1667, and his edict of the month of August, 1669, whereby his Majesty had required all his subjects who were in the service of foreign princes and states, to return to his kingdom, according to the tenor of the said edict and declaration, upon forfeiture of their lives—and whereas his Majesty is of opinion, that, by modifying or commuting the punishment of death, which is inflicted by said edict and declaration, for that of service during life in the gallies, he would be enabled to increase the crews of his gallies—His Majesty, in council, having modified and changed the said punishment of death, has ordained, and ordains, that from the day of the publication of this present decree .... all Frenchmen, who shall be taken in foreign vessels, that shall be adjudged to belong to the enemies of his Majesty, shall be held as prisoners .... and the said Frenchmen shall be condemned to the gallies for life," &c.

JULY 23, 1704.

"NO regard shall be had to passports granted by neutral princes, either to the owners or masters of vessels belonging to states at enmity with his Majesty, if they have not been naturalized, and had not transferred their domicil to the states of the neutral princes before the declaration of the present war; and even in this case, they shall not enjoy the benefit of their letters of naturalization, if, after obtaining them, they shall have returned to the said states at enmity with his Majesty in order there to continue their commercial affairs."

OCTOBER 31, 1784.

"THE classed seamen, who in time of peace shall be found serving in foreign ships, without permission, shall be condemned to fifteen days' imprisonment, and rated at the lowest wages, and shall serve moreover for two years for the half of such lowest wages; and those who in time of war shall be taken in foreign ships, or going into foreign countries, shall be condemned to three years' service in the gallies.

"The heads of the classes and the commissaries shall cause search to be made for deserters from merchant ships .... shall cause them to be arrested, and send them to the officers of the admiralty; they shall in like manner give information of such of the classed seamen as shall have passed into foreign countries, and who may be arrested," &c.

FRIMAIRE 3, AN 5. [A. D. 1797.]

"In one month from the publication of the present decree, all captains of neutral vessels are required to prove, by the certificate of the minister of their nation residing with the French Government, that they, as well as the owners of the vessels which they command, (if the vessels do not belong to themselves) were born in a country, either in alliance with the French republick, or neutral; under the penalty of being deprived of an entry in French ports, and treated as spies."

VENTOSE 8, AN 6. [A. D. 1799.]

"All English sailors who shall be found on board neutral vessels in the ports of the republick, shall be put under arrest, and detained until further orders—and all sailors who speak the English language, shall in this respect, be reputed Englishmen, and none shall be exempted but such as shall prove by authentick documents, that they are Americans."

BRUMAIRE 8, AN 7. [A. D. 1799.]

"Every individual, being a native, or originating in countries in amity with, or allies of the French republick, or neutrals, who shall hold a commission granted by the enemies of France, or shall make part of the crews of vessels of war, and others, being enemies, shall, for that alone, be declared a pirate, and treated as such."

[No. 54.]

Extracts of a letter from Messrs. Monroe and Pinkney, to the Secretary of state, dated Sept. 11, 1806.

"In the course of this conference, lord Auckland renewed a proposal, which he had glanced at in our first interview, that the treaty of 1794, should be made the basis of the present negotiation."

"On the impressment subject, it was soon apparent that they [the British ministers] felt the strongest repugnance to a formal renunciation or abandonment of their claim, to take from our vessels on the high seas, such seamen as should appear to be their own subjects: and they pressed upon us, with much zeal, as a substitute for such an abandonment, a provision that the persons composing the crews of our ships should be furnished

with authentick documents of citizenship, the nature and form of which should be settled by treaty; that these documents should completely protect those to whom they related; but, that subject to such protections, the ships of war of Great Britain should continue to visit and impress on the main ocean as heretofore."

[No. 55.]

Extract from Messrs. Monroe and Pinkney's letter to the Secretary of state, Sept. 11, 1806, at London.

"THE temper which the British commissioners have obviously brought to the negotiation corresponding with that which has been manifested towards the mission by those who hold official stations here, as well as by the publick in general, is as friendly and respectful to our government and country as could be desired."

[No. 56.]

Agreement of the British Commissioners respecting Impressments.

HOLLAND HOUSE, Nov. 8, 1806.

His majesty's commissioners and plenipotentiaries, have the honour to represent to the commissioners and plenipotentiaries of the United States;

That the project of an article on the subject of impressing seamen, together with the reasonings, by which the commissioners of the United States have urged the expediency of an arrangement on that subject, has been laid before his majesty's government, and has been considered with the same friendly and conciliatory disposition, which has marked every step of the negotiation.

That his majesty's government has not felt itself prepared to disclaim, or derogate from, a right which has ever been uniformly and generally maintained, and in the exercise of which, the security of the British navy may be essentially involved; more especially in a conjuncture when his majesty is engaged in wars, which enforce the necessity of the most vigilant attention to the preservation and supply of the naval force of his kingdom.

That his majesty's government, animated by an earnest desire to remove every cause of dissatisfaction, has directed his majesty's commissioners to give to Mr. Munroe and to Mr. Pinkney, the most positive assurances that instructions have been given and shall be repeated and enforced, for the observance of the greatest caution in the impressing of British seamen; and that the strictest care shall be taken to preserve the citizens of the United States from any molestation, or injury; and that immediate and prompt redress shall be afforded upon any representation of injury sustained by them.

That the commissioners of the United States well know that no recent causes of complaint have occurred, and that no probable inconvenience can result from the postponement of an article subject to so many difficulties. Still, that his majesty's commissioners are instructed to entertain the discussion of any plan that can be devised to secure the interests of both states, without any injury to rights to which they are respectively attached.

That in the mean time the desire of promoting a right conclusion of the proposed treaty, and of drawing closer the ties of connexion between the two countries, induces his majesty's commissioners to express their readiness to proceed to the completion of the other articles, in the confident hope, that the result cannot fail, to cultivate and confirm the good understanding happily subsisting between the high contracting parties, and still further to augment the mutual prosperity of his majesty's subjects, and of the citizens of the United States.

(Signed) VASSAL HOLLAND.
AUCKLAND.

To JAMES MONROE Esq. and WILLIAM PINCKNEY Esq.

[No. 57.]

Extract of a letter, dated London, Nov. 11, 1806, from Messrs. Monroe and Pinckney to James Madison, Secretary of state.

"ON the 9th instant, we received from the British commissioners the note which they had promised us in the last interview, which we have found to correspond in all respects with what we had been taught to expect. We have also weighed with due consideration the great question which is propounded by it, and are decidedly of opinion that it is our duty to proceed to the other objects of the negotiation, leaving that of impressment on the ground on which it will be placed by this note and our acting on it. Many strong reasons favour this course, while none

occur to us of any weight against it. When we take into view all that has passed on this subject, we are far from considering the note of the British commissioners as a mere circumstance of form. We persuade ourselves that by accepting the invitation which it gives, and proceeding in the negotiation, we shall place the business almost, if not altogether, on as good a footing, as we should have done by treaty, had the project which we offered them been adopted. The time at which this note was presented to us, and the circumstances under which it was presented, being when the negotiation was absolutely at a stand on this very question, and we had informed the British commissioners that we could do nothing, if it was not provided for, give the act a peculiar degree of solemnity and obligation. It was sent to us as a publick paper, and intended that we should so consider it, and with the knowledge and approbation of the cabinet. It ought therefore, to be held as obligatory on the government, in its just import, as if the substance had been stipulated in a treaty. It is just also to give it a liberal construction in favour of the United States, in consideration that it is the act of the British government. In that view it merits attention, that every thing is expressed in it that could be desired, except the relinquishment of the principle: that in speaking of impressments, the exercise of that act on the high seas is not mentioned, an omission which we know to have been intentional. From a full view of all these circumstances we think it fair to infer, that this government intends to conform its conduct in future to the just claims of the United States, on this great interest, while by particular motives of policy, it deems it improper to relinquish a claim, especially at this time, which has been long sustained and acted on by it, and which has been heretofore strongly supported by the national feeling, or more properly speaking, prejudice."

[No. 58.]

Extracts of a letter from Mr. Monroe to Mr. Madison dated Richmond, Feb. 28, 1808.

"The impressment of seamen from our merchant vessels, is a topick which claims a primary attention, from the order which it holds in your letter, but more especially, from some important considerations that are connected with it. The idea entertained by the publick is, that the rights of the United States were abandoned by the American commissioners in the late negotiation, and that their seamen were left by tacit acquiescence, if not by formal renunciation, to depend for their safety on the mercy of the British cruizers. I have on the contrary, always

believed, and still do believe, that the ground on which that interest was placed by the paper of the British commissioners, of Nov. 8. 1806, and the explanations which accompanied it, was both honourable and advantageous to the United States; that it contained a concession in their favour, on the part of Great-Britain, on the great principle in contestation, never before made by a formal and obligatory act of the government, which was highly favourable to their interest; and that it also imposed on her the obligation to conform her practice under it, till a more complete arrangement should be concluded, to the just claims of the United States.

"By this paper it is evident that the rights of the United States were expressly to be reserved, and not abandoned, as has been most erroneously supposed; that the negotiation on the subject of impressment was to be postponed for a limited time, and for a special object only, and to be revived as soon as that object was accomplished; and, in the interim, that the practice of impressment was to correspond essentially with the views and interests of the United States.

"In calling your attention to the passage which treats of impressment, in reference to the practice which should be observed in future, we remarked that the terms "high seas" were not mentioned in it, and added that we knew that the omission had been intentional. It was impossible that those terms could have been omitted intentionally *with our knowledge*, for any purpose other than to admit a construction that it was intended that impressments should be confined to land.

"I do not mean to imply that it was understood between the British commissioners and us, that Great-Britain should abandon the practice of impressment on the high seas altogether. I mean, however, distinctly to state, that it was understood that the practice heretofore pursued by her should be abandoned, and that no impressment should be made on the high seas, under the obligation of that paper, except in cases of an extraordinary nature, to which no general prohibition against it could be construed fairly to extend. The cases to which I allude were described in our letter of November 11th. They suppose a British ship of war and a merchant vessel of the United States, lying in the Tagus or some other port, the desertion of some of the sailors from the ship of war to the merchant vessel, and the sailing of the latter with such deserters on board, they being British subjects. It was admitted that no general prohibition against impressment could be construed to sanction such cases of injustice and fraud; and to such cases it was understood that the practice should in future be confined.

"That an informal understanding was an admissible mode of arranging this interest with Great-Britain, is made sufficiently evident by your letter of Feb. 3, 1807, in reply to ours of Nov. 11th, of the preceding year.

"*We* were therefore, decidedly of opinion that the paper of the British commissioners placed the interest of impressment on ground which it was both safe and honourable for the United States to admit: that in short it gave their government the command of the subject for every necessary and useful purpose. Attached to the treaty it was the basis or condition, on which the treaty rested. Strong in its character in their favour on the great question of right, and admitting a favourable construction on others, it placed them on more elevated ground in those respects than they had held before; and by keeping the negotiation open to obtain a more complete adjustment, the administration was armed with the most effectual means of securing it.

"When I took into view the prosperous and happy condition of the United States, compared with that of other nations; that as a neutral power, they were almost the exclusive carriers of the productions of the whole world; and that in commerce they flourished beyond example, notwithstanding the losses which they occasionally suffered, I was strong in the opinion that those blessings ought not to be hazarded in such a question. Many other considerations tended to confirm me in that sentiment. I knew that the United States were not prepared for war; that their coast was unfortified, and their cities in a great measure defenceless; that their militia, in many of the states, was neither armed nor trained; and that their whole revenue was derived from commerce. I could not presume that there was just cause to doubt which of the alternatives ought to be preferred."

[No. 59.]

Extract of a letter, from Mr. Monroe, Secretary of state, to Mr. Foster, dated July 23, 1811.

"The President has received, with great satisfaction, the communication, that should the orders in council of 1807, be revoked, the blockade of May of the preceding year, would cease with them, and that any blockade, which should be afterwards instituted, should be duly notified and maintained by an adequate force. This frank and explicit declaration, worthy of the prompt and amicable measure adopted by the Prince Regent, in coming into power, seems to remove a material obstacle to an accommodation of differences between our countries; and when followed by the revocation of the orders in council will, as I am *authorized* to inform you, produce an immediate termination of the non-importation law, by an exercise of the power vested in the president for that purpose."

[No. 60.]

Extract of a letter from Mr. Foster to Mr. Monroe, dated June 1, 1812.

"I HAVE it in charge to repeat to you, sir, for the information of your government, that the government of his Royal Highness the Prince Regent will continue to give the most positive orders against the detention of *American* citizens on board his Majesty's ships; and that no difficulties, beyond what are requisite for clearly ascertaining the national character of individuals, whose cases are brought before the lords commissioners of the admiralty, will be interposed, to prevent or delay their immediate discharge."

NOTE.

After the *Documents* were put to press, the depositions of Col. John Thomas and Thos. H. Tobey, Esq's. (Nos. 25 and 39) being found to be without the certificates of the magistrate, measures were immediately taken to obtain them; but they could not be had in season to be annexed.

To the list of witnesses mentioned on the last page of the *report* as having been *summoned*, should be added the names of *John Doak*, and *Jeremiah Lee*, who could not be found by the officer.

JNO. PICKERING,
Chairman of the Committee.

ERRATUM.

Page 9, *in the* Report, *line* 17, *for* formed *read* found.